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International trade and development

Report of the Secretary-General

Summary

Reinvigorating the global partnership for development and ensuring effective functioning of the multilateral trading system should be a key element of the global development agenda beyond 2015. International trade, a powerful catalyst for achieving socioeconomic objectives, should also feed into other sustainable development objectives beyond 2015. Trade is essential for inclusive growth through more and better jobs, contributing to a more diversified economy and sustained development and promoting higher living standards in all countries. The trade-development nexus is not automatic and requires strong institutional and policy support at the national level, as well as coherence in global policymaking internationally, particularly to ensure the inclusiveness and sustainability of the development path. Strengthening the multilateral trading system in the presence of proliferating regional trade agreements and reinvigorating its development dimension in the light of the new economic realities is critical to creating an enabling environment for future global growth. New "soft rule-making" approaches should be taken into consideration when addressing the question of how to reach consensus both on the "old" (e.g., tariff peaks and escalation and agricultural subsidies) and the "new" trade agenda (e.g., competition policy and investment).

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I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 67/196, in which the Secretary-General was requested to submit to the General Assembly at its sixty-eighth session, in collaboration with the secretariat of the United Nations Conference on Trade and Development (UNCTAD), a report on developments in the multilateral trading system. It examines the emerging trends and issues in international trade and reviews the major developments in the multilateral trading system.

II. Trends in international trade

A. Global trade and its context

2. After expanding strongly by 6.9 per cent in 2011, global trade volume (i.e., exports and imports in goods and services adjusted for price changes) decelerated markedly to 2.7 per cent in 2012.[1] This largely reflects falling demand associated with subdued global economic activity. World output grew by only 2.3 per cent in 2012 as compared to 2.8 per cent in 2011. Weak economic activity in developed countries, deceleration in some developing countries, high unemployment, recurring uncertainties in the financial markets and reduced public spending appear to have severely discouraged trade in both developed and developing countries. Growth in world trade is projected to pick up again to 3.5 per cent in 2013, while that of global output is expected to stay at the same level.

3. Developed countries suffered from weak output growth of just 1.2 per cent in 2012. The United States of America registered an improved growth rate of 2.2 per cent while European Union economies contracted by 0.3 per cent against the backdrop of the eurozone debt crisis. The global economy continued to be fuelled by developing countries that exhibited a higher growth rate of 4.6 per cent, with particularly strong growth recorded in East and South-East Asia (5.5 per cent) and Africa (5.1 per cent). The risk to the global economy that has emerged is that the pace of growth in many large developing countries, which acted as major growth poles in the post-crisis recovery, has started to decline noticeably, most obviously in China. This has had a measurable effect, particularly on commodity exporters. Global foreign direct investment (FDI) inflows also contracted sharply by 18 per cent in 2012.

4. Pervasive and persistent unemployment worldwide continues to weigh heavily on global aggregate demand, constraining trade opportunities. With a global unemployment rate of 5.9 per cent in 2012, there were some 196 million people unemployed and around 39 million people have dropped out of the labour market as job prospects have become so difficult.[2] Joblessness is particularly severe in Europe, where the unemployment rate hit a record high of 12.1 per cent in March 2013, including levels of over 26 per cent in Spain and Greece, but developing regions are also affected, including the Middle East (11.1 per cent), North Africa

[1] *World Economic Situation and Prospects 2013* (United Nations publication, Sales No. E.13.II.C.2), update as of mid-2013.

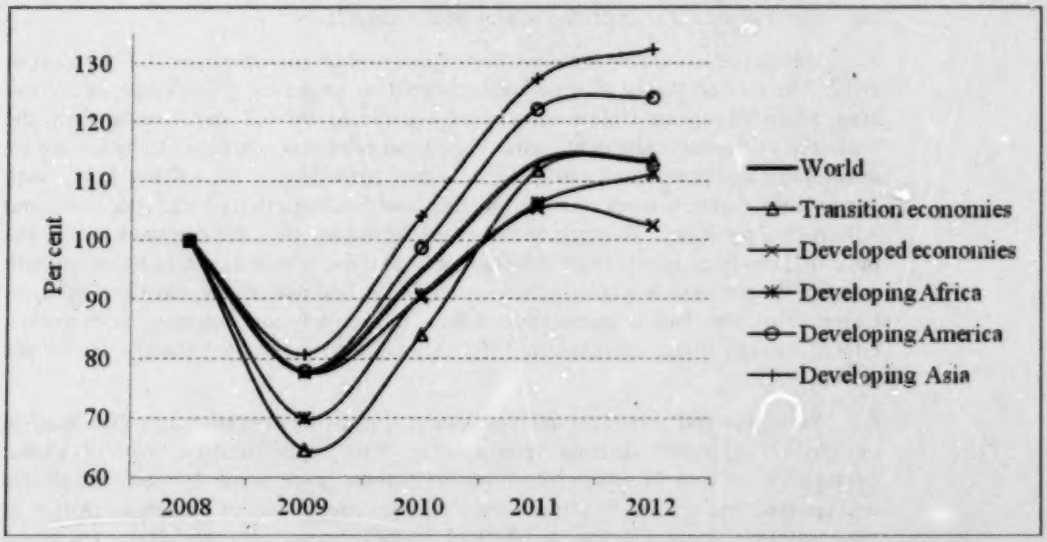
[2] International Labour Organization, *World of Work Report 2013: Repairing the Economic and Social Fabric* (Geneva, 2013).

(10.3 per cent) and sub-Saharan Africa (7.5 per cent). The youth are particularly hard hit with 73.8 million of them worldwide without jobs, equivalent to a global youth unemployment rate of 12.6 per cent. Youth unemployment has a particularly perverse effect on the economy, as it is deprived of opportunities for human capital formation and a source of economic growth and is bad for society as it erodes social cohesion. This suggests the importance of well-designed labour market and social protection policies, combined with education and training geared towards sectors with high growth potential.

B. Merchandise trade

5. In nominal value terms, world merchandise exports stood at $18.3 trillion in 2012. This was almost the same as 2011, as the export value barely increased (0.2 per cent) after having rebounded dynamically by 19.6 per cent in 2011. Exports from developing countries expanded by 3.6 per cent in 2012, while those of developed countries contracted by 2.8 per cent in absolute terms. Consequently, the share of developing countries in world trade climbed to an all-time high of 44 per cent. South-South exports represented 56.5 per cent of the merchandise exports of developing countries, and 25.1 per cent of the world total. Compared to pre-crisis levels, all regions had surpassed their 2008 levels by 2011 (figure I).

Figure I
Evolution of merchandise export value by region 2008-2012 (2008=100)

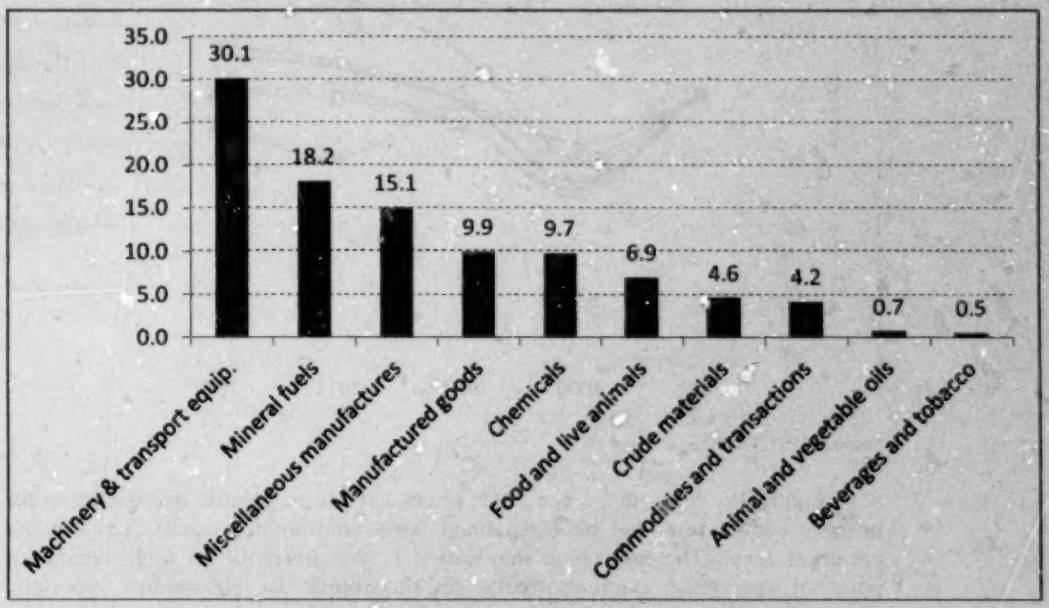


Source: UNCTADStat.

6. The strong recovery of the exports of developing countries during this period was driven by heavily traded machinery and transport equipment, mineral fuels and miscellaneous manufactured goods (figure II). A significant part of increased mineral fuel exports was triggered by rising prices between 2009 and 2011, while the relative dynamism of manufactures reflects an increase in quantity terms and the high responsiveness of trade within global value chains to changes in demand. This

corresponds to the rapid export growth of Asian countries and South-South trade. Asia accounts for over three quarters of total South-South exports and exhibits a higher concentration of technology-intensive manufactured goods relative to the world average.

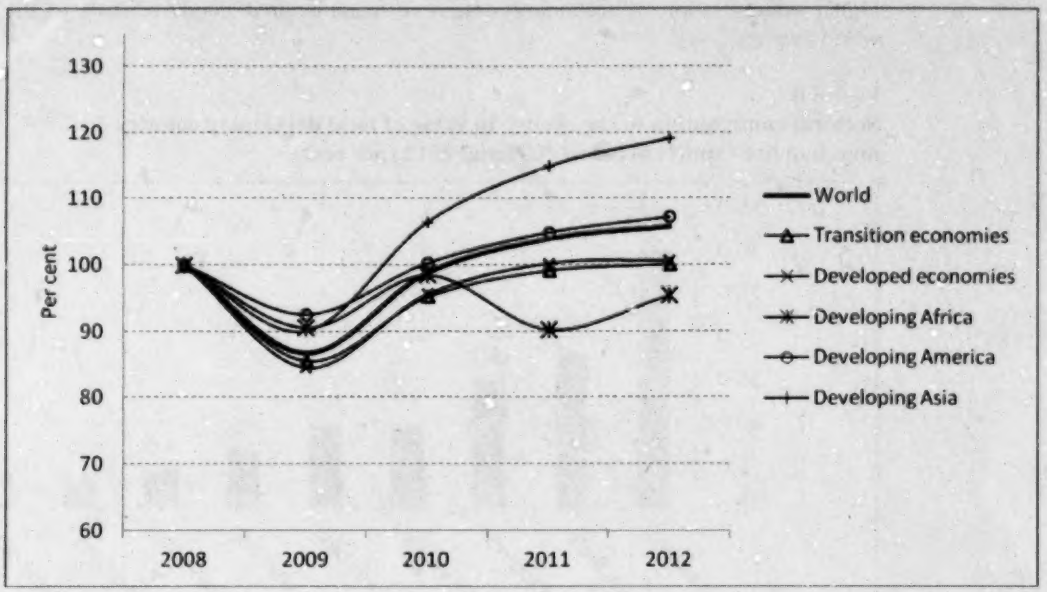
Figure II
Sectoral contribution to the change in value of total developing country merchandise exports between 2008 and 2012 (per cent)



Source: UNCTADStat.

7. In volume terms, world merchandise exports exhibited a sharp slowdown in 2012, expanding only by 1.6 per cent as compared to 5.4 per cent in 2011. The trajectories of export recovery diverged between regions: the export growth of developing countries was more dynamic but limited to 3.2 per cent, while in developed countries export volume increased by only 0.4 per cent. Despite the apparent expansion of trade in value terms, the effect of the crisis appears to be continuing to affect many regions in volume terms (figure III). In aggregate, world merchandise export volumes regained their pre-crisis levels by the end of 2010 and surpassed that level by around 6 per cent in 2012, with the fastest recovery registered by developing Asia. However, transition economies and Africa had not yet achieved their pre-crisis level.

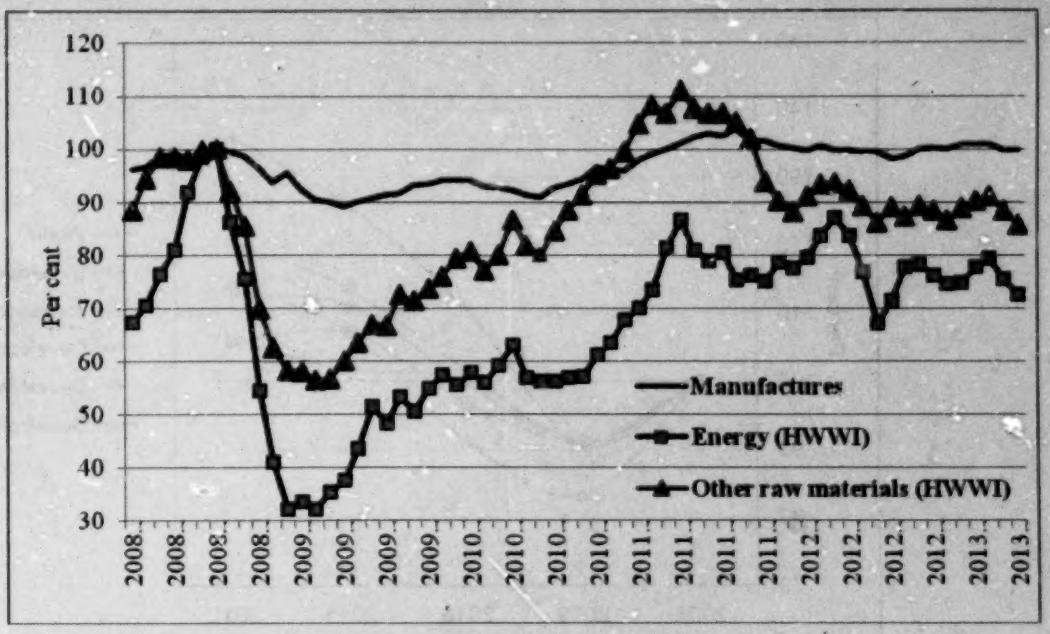
Figure III
Evolution of merchandise export volume by region 2008-2012 (2008=100)



Source: UNCTADStat.

8. Figure IV shows that since 2011, prices have been volatile and declining for primary commodities but have remained fairly constant for manufactures at the pre-crisis level. The immediate implication is that international trade remains a potential source of external shocks and instability for commodity exporters. Commodity exports, especially of metals, minerals and energy, continue to fluctuate widely, depending on changes in demand triggered by fluctuations in production and income in the countries producing manufacturing products. Their impact on commodity exports is often manifested as a fall in both volume and price. For their part, manufactured goods have not shown, in aggregate, a sustained price rise since the pre-crisis peak. This may suggest that worldwide weak demand has triggered a "race to the bottom", whereby countries individually facing sluggish domestic demand seek to increase exports by cutting prices.

Figure IV
World price index of manufactures, energy and other raw materials (July 2008=100)



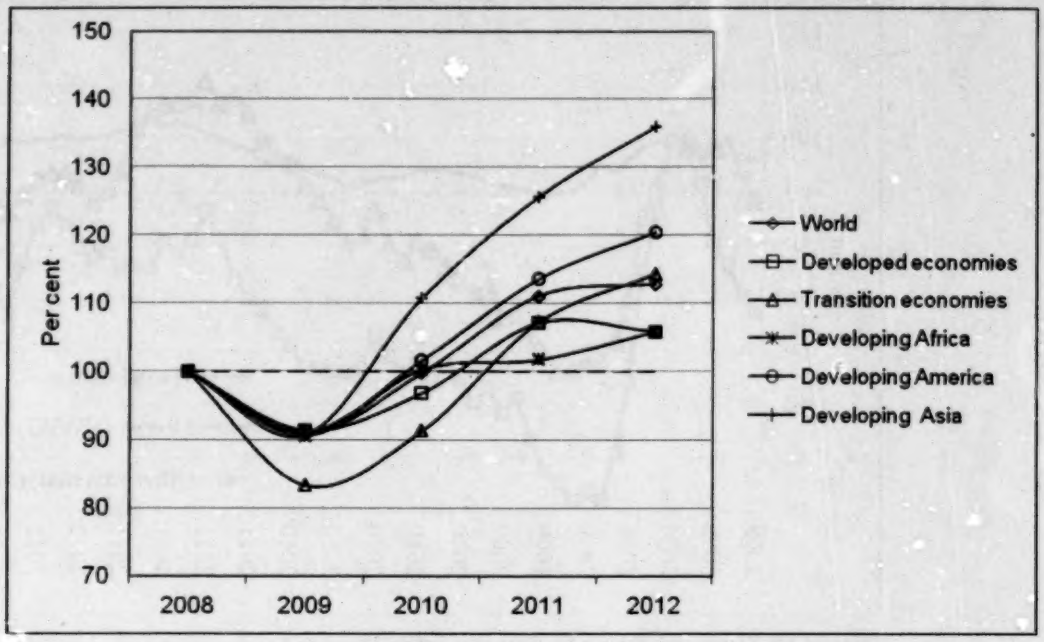
Source: CPB Netherlands Bureau for Economic Policy Analysis.

9. The recent currency appreciation in some developing countries following increased capital inflows, against the backdrop of monetary expansion in some developed countries, represents an emerging risk for their export competitiveness. The Chinese renminbi reached a 19-year high against the dollar in the second quarter of 2013. The currencies of some developing countries, including Brazil, Mexico and the Philippines, appreciated in nominal terms, leading to concern over their adverse effect on export sectors.

C. Trade in services

10. The value of global services exports increased modestly by 1.6 per cent in 2012. Developing countries registered a robust growth rate of 7.6 per cent, while developed country exports contracted by 1.2 per cent. The value of world commercial services exports reached $4.3 trillion, equivalent to 20 per cent of total exports of goods and services. This share has been continuously rising as exports of services have expanded at a faster pace than that of manufactured goods. The share in world services exports of developing countries climbed to 31 per cent in 2012 for the first time, driven by a rapid expansion in Asian services exports (figure V).

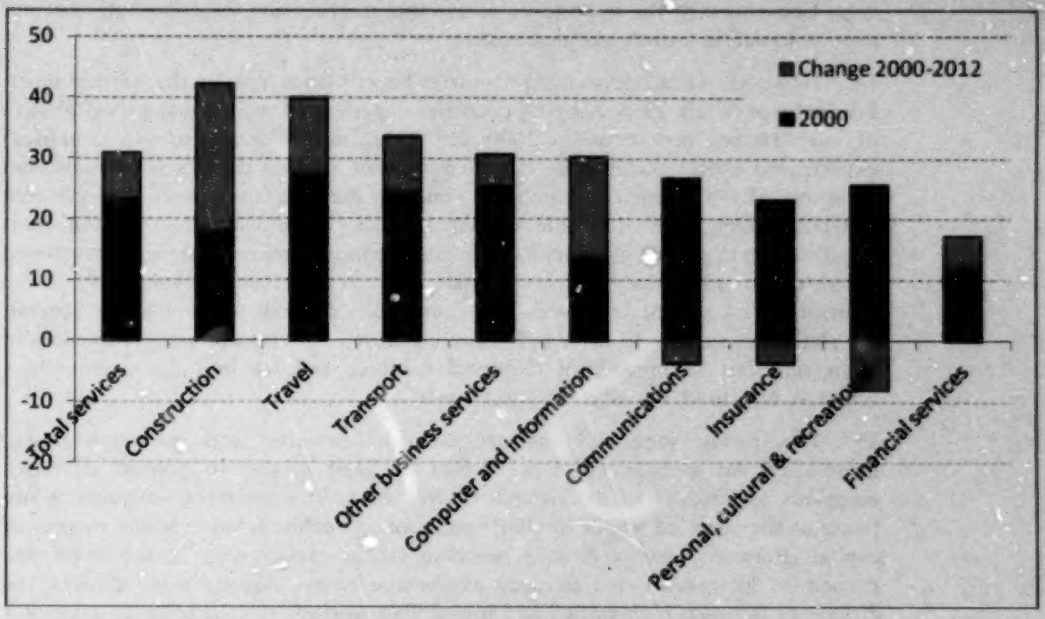
Figure V
Evolution of services exports by region (2008=100)



Source: UNCTADStat.

11. Between 2000 and 2012, developing countries increased their market share in 7 of the 10 subsectors as they gained export competitiveness (figure VI). The share of developing countries is the highest in construction and travel services at about 40 per cent, followed by transport and other business services. Particularly rapid growth was registered in computer and information services associated with outsourcing services in information technology. Additional sectoral data suggest that the dynamic growth in exports of computer and information and travel services led the recovery for exports of developing country services. International tourism receipts grew by 4 per cent to reach $1.1 trillion in 2012 and the number of tourist arrivals rose by 4 per cent.

Figure VI
Share of developing countries in world services exports by category, 2000 and 2012 (per cent)



Source: UNCTADStat.

12. Global remittances, including transfers associated with temporary movement, are estimated to have increased by 2.8 per cent in 2012.[3] This value is estimated at $529 billion, about $401 billion of which was destined for developing countries. Flows to developing countries increased by 5.3 per cent in 2012 and are expected to increase even faster at 8.8 per cent between 2013 and 2015. Remittances are a major source of financial resources for many small economies, representing 20-50 per cent of GDP in Kyrgyzstan, Liberia and Tajikistan. Facilitating labour mobility, including through mode 4 of the General Agreement on Trade in Services (GATS), easing remittance transfers and directing them into productive use has been recognized as a key challenge.[4] Lowering remittance costs — currently at 9 per cent on average — particularly in smaller migrant "corridors" (i.e., pairs of countries sending and receiving remittances) is important.

D. Observations on trends in trade in relation to sustainable development

13. Trade provides the means to overcome constraints posed by small domestic markets and access larger external markets, enabling a better use of productive resources to catalyse structural transformation. Over the last decade, trade has grown persistently faster than GDP (except in 2009), resulting in an increased exports to GDP ratio; in developing countries the average figure rose from 30 per cent to a pre-crisis peak of 36 per cent by 2008 (32 per cent in 2012). The share of

[3] World Bank, Migration and Development Brief No. 20 (Washington, D.C., 2013).
[4] See UNCTAD/DITC/TNCD/2011/8 and UNCTAD/DITC/TNCD/2010/8.

developing countries in world merchandise exports has expanded from 24 per cent to 44 per cent in the last two decades and in world output from 17 per cent to 36 per cent. Consequently, the importance of external markets and the contribution of net exports to output growth has increased.

14. However, not all developing countries benefit from trade in the same manner. For instance, while 23 developing countries experienced real annual export growth of over 10 per cent between 2000 and 2012, nearly one third (46 countries) experienced export contraction. Persistent current account deficits were registered by 90 out of 134 countries, while in 59 countries the deficit reached over 5 per cent of GDP, making them vulnerable to external shocks and placing them at an inherent disadvantage in pursuing export-led growth. The participation of the least developed countries and sub-Saharan Africa in trade remains marginal and vulnerable to the fluctuations of commodity prices. For commodity-dependent countries in general, the challenge remains to pre-empt "Dutch disease" — a loss of competitiveness in manufacturing resulting from increased resource inflows into the commodities sector — and, more broadly, "resource curse".

15. The income inequality between countries remains large, although slowly decreasing. An average GDP per capita of $160 in the 10 poorest countries compares to $50,180 in the richest 10. Within most economies, inequalities are rising as the share of wages in GDP continues to decline relative to the owners of capital. Between 1999 and 2011, average labour productivity in the developed economies increased twice as much as average wages. Among wage earners, the difference between high-skilled and low-skilled workers is increasing as wages for high-skilled workers have grown faster than low-skilled workers, with an increased skill premium. The informal economy represented on average 60 per cent of the workforce in developing countries where working conditions are precarious. Trade impacts employment and wages at the sectoral and occupational level, contributing to increasing inequality within countries.

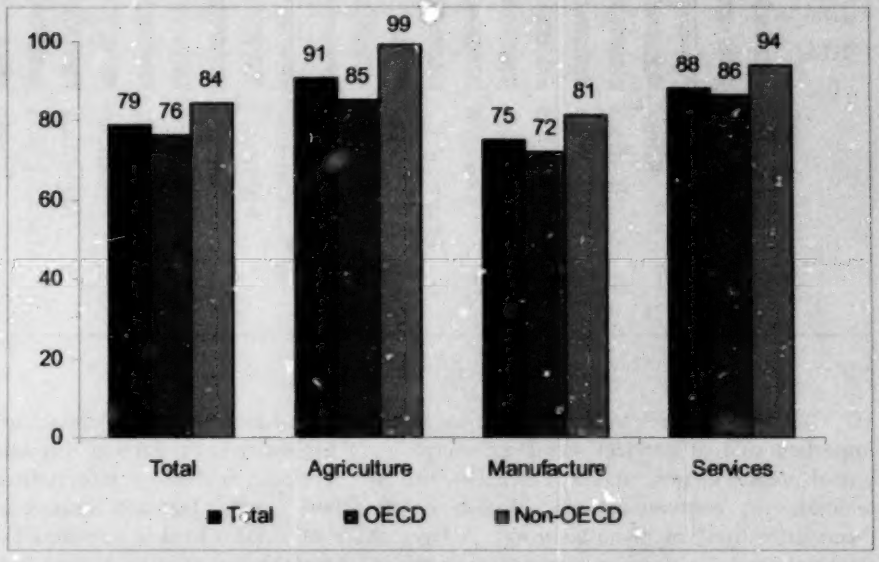
16. These effects of trade on growth, jobs and development will be further influenced by emerging trends that will increasingly condition the patterns and consequences of trade. One such trend is the increased prevalence of global value chains, another is the growing developmental importance of the services economy and the trade in services. Global value chains have existed for several decades but became salient in the 2000s, enabled by technological advances in information and communications technology and transport, which reduced transaction and coordination costs. It is characteristic of this trade that intermediate goods and services cross borders several times before being assembled into final products. Trade in intermediate goods has indeed increased since 2002, driven particularly by intra-East Asian trade, and in 2011 it represented 40 per cent of world trade. Trade in global value chains is particularly prevalent in the electronics and automotive industries and is a reflection of the business strategies of transnational corporations. UNCTAD estimates that about 80 per cent of global trade involves transnational corporations.[5]

17. The rise of trade in global value chains has highlighted the inadequacy of existing trade statistics that measure the value of traded products in gross value

[5] *World Investment Report 2013. Global Value Chains: Investment and Trade for Development* (United Nations publication, Sales No. E.13.II.D.5).

terms, as the value of foreign value added incorporated into imported inputs is counted several times. Measured in net value added terms, domestic value added accounted on average for 79 per cent of the value of gross world exports in 2009 (figure VII), implying that 21 per cent originated in other countries supplying intermediate goods.[6] The proportion of domestic value added is higher in countries that are not members of the Organization for Economic Cooperation and Development (OECD) than in OECD countries and lower in manufactures than in the agriculture and services sectors, indicating a greater participation in global value chains of developed countries which trade manufactures more intensively.

Figure VII
Domestic value added share of gross exports, by sector (2009, per cent)

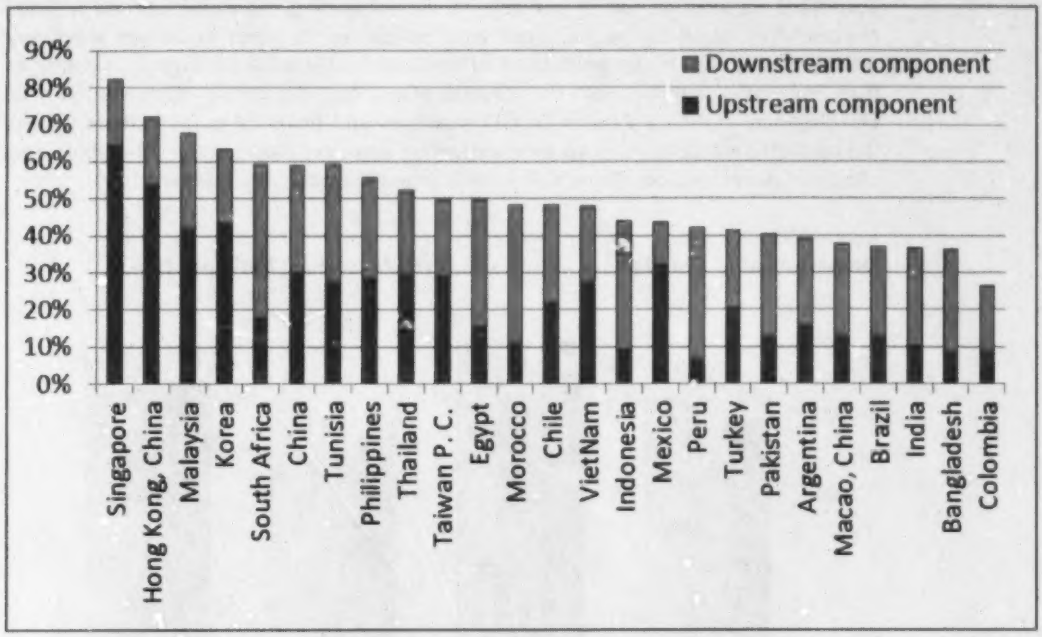


Source: OECD-WTO TiVA database.

18. The degree of involvement of countries in global value chains can be measured by looking upstream and downstream of the value chain, i.e., by observing the extent to which countries rely on foreign inputs for their exports and the extent to which the goods and services they export are used in the exports of partner countries (figure VIII). The main Asian exporters rank highest in terms of participation in global value chains, as they both import a substantial part of their exports and a significant part of their exports are used in the exports of third countries. Commodity exporters (e.g., Indonesia) are integrated in value added in other countries downstream. Participation in global value chains is registered as relatively low for larger economies (e.g., India and Brazil) as they tend to specialize in agriculture and services requiring limited foreign inputs and exhibit greater self-sufficiency in different stages of production for exports.

[6] OECD-World Trade Organization (WTO) TiVA database: www.oecd.org/trade/valueadded.

Figure VIII
Rate of participation in global value chains of the top 25 developing economy exporters (2010)



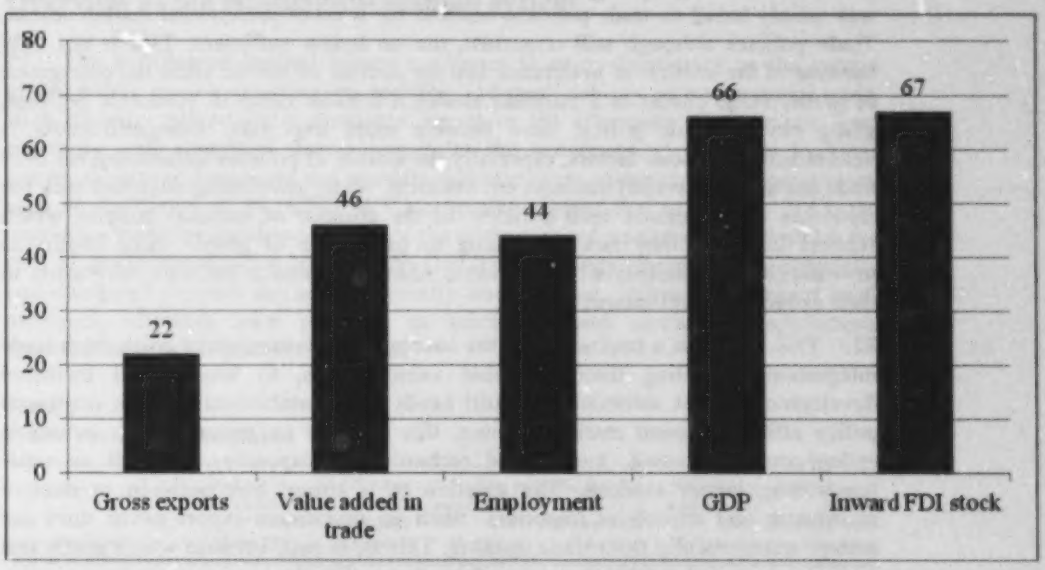
Source: UNCTAD, World Investment Report 2013, figure IV.13.

19. As countries seek to capture a larger share of value added and employment, the important role of services has been increasingly recognized. Production through global value chains makes extensive use of services, including information technology, communications, logistics, transport and business services ("servicification" of manufacturing). A large share of value added is captured by essential service activities upstream (research and development, product design) and downstream (marketing, sales and distribution) of the value chain. The international production networks of transnational corporations are heavily geared towards providing those value added inputs required to generate trade. While the share of services in gross exports worldwide is only about 20 per cent, almost half (46 per cent) of the value added in exports was contributed by service sector activities in 2009. This share is higher in developed countries (50 per cent) than in developing countries (38 per cent), suggesting that greater value added tends to be captured by developed countries, where transnational corporations tend to originate, and this is achieved through services activities. Two thirds of global FDI stock is concentrated in services (see figure IX).

20. Globally, services account for two thirds of world output and 44 per cent of employment. Many more jobs were created in the services sector than in manufacturing or agriculture in recent years. The trade in services has expanded faster than the trade in merchandise and developing countries have increased their share. The development of services contributes significantly to economy-wide growth. Infrastructure services (e.g., energy) are essential inputs to all economic activities while others with an important social function (e.g., health, education) are

essential for the international development agenda beyond 2015.[7] Technology-intensive, modern, exportable business services exhibit strong positive externalities (e.g., technology diffusion). This transformational potential of services creates a real opportunity for services-driven development. Policy, regulatory and institutional frameworks best adapted to local conditions and sectoral specificities are key to harnessing the potential of services. Comprehensive services policy reviews are instrumental in devising such frameworks.[8]

Figure IX
Share of services in trade, employment, GDP and FDI (per cent)



Source: WIR 2013, UNCTADStat and ILO Global Employment Trends 2013.

Box 1
Global Services Forum

The Global Services Forum was first launched at the thirteenth session of UNCTAD (UNCTAD XIII) in 2012, in Doha as a unique high-level global platform dedicated to services. The second Global Services Forum was held on 28 and 29 May 2013 in Beijing on the theme of services as a new frontier for sustainable development. The Beijing communiqué adopted by the leaders present at the Forum highlighted the important role played by services in income generation and job creation. The deliberations emphasized that the multifaceted and transformational power of the services sector has created an unprecedented opportunity for

[7] UNCTAD, *Services, trade and development* (Geneva, 2010); UNCTAD, *Services, Development and Trade: the Regulatory and Institutional Dimension of Infrastructure Services*, vols. I and II (Geneva, 2013) and TD/B/C.I/MEM.4/2.

[8] See, for instance, services policy reviews of Lesotho (UNCTAD/DITC/TNCD/2012/1), Uganda, Kyrgyzstan and Nepal (UNCTAD/DITC/TNCD/2010/1-3).

a new services-driven development path and for the positive integration of developing countries into the global services economy and that trade is of critical developmental importance.

21. While facilitating access to the markets of developed countries, global value chains also require greater efficiency and competence from suppliers. Policies that enhance the competitiveness, reliability and efficiency of enterprises are particularly important. In the past, the competitiveness of enterprises in developing countries was mainly based on trade policies, often in the form of preferential market access. Trade policies although still important, are no longer sufficient. This is not only because of the erosion of preference and the decline of tariffs; since the emergence of global value chains as a business model, a broader range of economic policies, going beyond trade policy, have become more important. Competitiveness is determined by various factors, especially the quality of policies influencing not only trade but also the overall business environment. Many developing countries lack the resources to implement such policies. In the absence of national policies which support business, they risk continuing to participate in global value chains as providers of components with low value added and with a limited contribution to their economic development.[9]

22. This serves as a reminder that the successful transmission of gains from trade integration, including through global value chains, to broad-based inclusive development is not automatic and still needs to be established through conscious policy efforts. Beyond market opening, this depends on many factors, including endogenous productive, human and technological capacities, as well as well-functioning labour markets. The creation of a strong link between productive investment and exports is important. Such an investment-export nexus does not emerge automatically from trade opening. This is, in part, because which goods and services are traded matters more than the volume of trade.

23. National trade policy alone, therefore, cannot put in place the conditions necessary to achieve inclusive development. Trade policy needs to be defined as a central component of a coherent and integrated strategic development framework and designed to enhance the link between trade, productive investment and employment creation by promoting diversification into higher value-added activities and opening new investment opportunities. Different combinations of macroeconomic, industrial, services, technology and labour market policies will be needed to ensure that trade is harnessed to inclusive and sustainable development. The role of the State is pivotal in identifying policy mixes that are the best fit for national circumstances and conditions.

III. Developments in the multilateral trading system

24. As the international community prepares to negotiate the development agenda beyond 2015, ensuring a pattern of growth and development that is inclusive and

[9] Alessandro Nicita, Victor Ognivtsev and Miho Shirotori, "Global supply chains: trade and economic policies for developing countries", Policy Issues in International Trade and Commodities, Study Series No. 55 (Geneva, UNCTAD, 2013).

(economically, socially and environmentally) sustainable is a central policy objective in addition to eradicating extreme poverty by 2030.[10] Although not sufficient, trade and the multilateral trading system are necessary conditions for growth and development and need to be an integral part of a global governance strategy towards inclusive and sustainable development. The multilateral trading system is witnessing major challenges as the 12-year World Trade Organization (WTO) Doha Round negotiations are at an impasse and attention is increasingly shifting to "plurilateral" and regional approaches.

A. Overview of the multilateral trading system

25. The multilateral trading system continues to enjoy legitimacy as the unique global public good supporting the stability and predictability of international trade. High-intensity protectionist measures feared in the aftermath of the crisis were relatively well contained thanks largely to the adherence of countries to WTO norms, to their self-restraint and to additional initiatives undertaken by other groups, such as the Group of 20 (G20). WTO estimates suggest that as of June 2013, the restrictive measures implemented since the crisis covered a relatively modest 3.6 per cent of world merchandise trade (table 1).[11] Trade remedy investigation (especially anti-dumping) remains the most frequently implemented, followed by import tariff increases, affecting such products as machinery and mechanical appliances, electrical equipment and iron and steel.

Table 1
Trade-restrictive measures

Type of measure	*Mid-May to mid-October 2010 (5 months)*	*Mid-October 2010 to April 2011 (6 months)*	*May to mid-October 2011 (6 months)*	*Mid-October 2011 to mid-May 2012 (7 months)*	*Mid-May to mid-October 2012 (5 months)*	*Mid-October 2012 to mid-May 2013 (7 months)*
Trade remedy	33	53	44	66	46	67
Import	14	52	36	39	20	29
Export	4	11	19	11	4	7
Other	3	6	9	8	1	6
Total	**54**	**122**	**108**	**124**	**71**	**109**
Average per month	10.8	20.3	18.0	17.7	14.2	15.6

Source: WTO, Report on G20 Trade Measures, table 1.

26. The continued legitimacy of the multilateral trading system is also evidenced by the fact that it continues to attract new members and is headed towards universality. The membership of the Lao People's Democratic Republic and Tajikistan became effective in 2013, bringing WTO membership to 159. Thirty-one

[10] United Nations, *A New Global Partnership: Eradicate Poverty and Transform Economies through Sustainable Development*. Report of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda (New York, 2013).

[11] WTO, *Report on G20 Trade Measures* (Geneva, 2013), available from http://www.wto.org/english/news_e/news13_e/g20_wto_report_jun13_e.doc.

countries, including the Russian Federation, have acceded since the establishment of the WTO in 1995, 16 of which since the launching of the Doha negotiations in 2001.[12] Nevertheless WTO accession represents an important challenge for acceding countries as they need to undertake substantial policy reforms to comply with WTO rules and disciplines, which could set a limit to the ability of Governments to implement proactive policies, including for development purposes. Carefully designed and balanced terms of accession consistent with development status and needs, particularly for the least developed countries, have proved to be important.

B. The Doha Development Agenda and the forthcoming Ministerial Conference of the World Trade Organization

27. The Doha Round was launched in 2001 with a broad-based agenda under a single undertaking, while giving priority attention in the sequence of negotiations to the difficulties of implementation for developing countries and special and differential treatment to redress the imbalances left unaddressed under the previous Uruguay Round. The original intention was to conclude the Doha Round by 2004.

28. In hindsight, a large agenda going beyond the built-in agenda of agriculture and services delayed progress while the promise of a development agenda failed to be effectively delivered. Concern over the employment consequences of market opening in industrial sectors became acute as the economic cycle entered a downturn. The appropriate level of contribution to be made not only by developed, but also by the larger developing, countries became a persistent source of disagreement. Some institutional and other factors underpinning the negotiations were also found to be contributing to the impasse. Frequently cited were consensus-based decision-making, the large and diverse membership, the single undertaking principle, an outsized negotiating agenda, a lack of leadership, weakened interest from the business community and what was seen by some developing countries as insufficient transparency and inclusiveness.

29. Current efforts under the Doha Round are concentrated on finding concrete "deliverables" at the ninth WTO Ministerial Conference to be held from 3 to 6 December 2013 in Bali, Indonesia, focusing on trade facilitation and several agricultural and development issues.

30. The negotiations on trade facilitation are aimed at improving disciplines on customs procedures, including the transit of goods. It is estimated that reducing global trade costs by 1 per cent will increase worldwide income by $40 billion and the potential cost reduction of trade facilitation reform is greater for developing countries: 13-15 per cent, as compared to 10 per cent for OECD countries.[13] Improved availability of information, the harmonization and simplification of documents, risk management and the streamlining of border procedures are found to have a larger effect on reducing costs. While recognizing the case for trade

[12] The 24 countries currently in the process of accession are: Afghanistan, Algeria, Andorra, Azerbaijan, Bahamas, Belarus, Bhutan, Bosnia and Herzegovina, Comoros, Equatorial Guinea, Ethiopia, Iran (Islamic Republic of), Iraq, Kazakhstan, Lebanon, Liberia, Libya, Sao Tomé and Principe, Serbia, Seychelles, Sudan, Syrian Arab Republic, Uzbekistan and Yemen.

[13] Evdokia Moïsé and Silvia Sorescu, "Trade facilitation indicators: the potential impact of trade facilitation on developing countries' trade", OECD Trade Policy Papers, No. 144 (Paris, OECD, 2013).

facilitation, some developing countries are concerned over implementation costs as some measures (e.g. single window) are relatively costly and therefore seek an implementation mechanism which would link their implementation capacity, provision of capacity-building support and the timing and level of commitments.

31. Discussions on agriculture have addressed tariff rate quotas, food security issues and the phase-out of export subsidies by 2013, setting aside all other outstanding issues. A proposal on food security was aimed at allowing food to be purchased for stockholding at subsidized administered prices from low-income and resource-poor farmers to be exempt from the "aggregate measure of support", i.e., to be exempt from any disciplines on reduction of support.

32. On development, harvesting 28 agreement-specific special and differential treatment provisions and establishing a monitoring mechanism for special and differential treatment has been debated. Strengthening 88 special and differential treatment provisions was originally at issue. The least developed countries have called for fully delivering on issues specific to them, including duty-free and quota-free market access, the cotton issue and preferential market access on services under the waiver adopted in 2012. Meanwhile, a positive outcome is that the transition period for the least developed countries to implement the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) has been extended for another eight years until 2021.

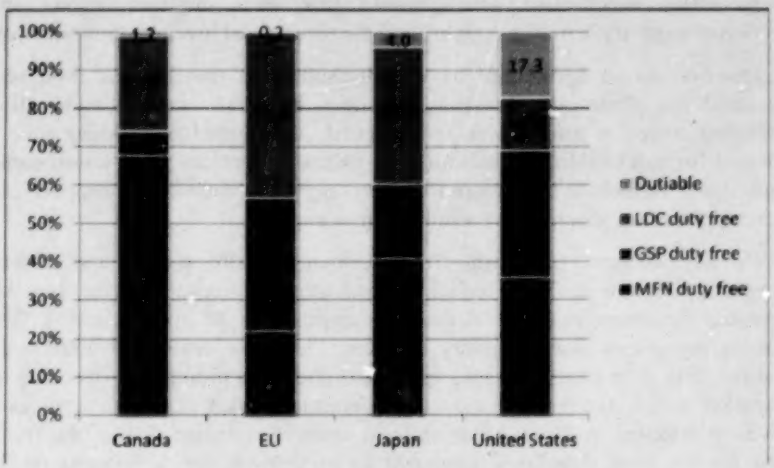
33. As regards duty-free and quota-free market access for the least developed countries, the target to provide duty-free and quota-free market access for at least 97 per cent of tariff lines, as set out in the annex to the WTO Ministerial Declaration adopted on 18 December 2005, has been met by all but one of the developed countries. The United States coverage remained at 83 per cent in 2010, mainly as apparel products are not covered under its Generalized System of Preferences for the least developed countries. Another related issue is to facilitate the exports of the least developed countries through simplified and more transparent rules of origin. The reform of the European Union Generalized System of Preferences rules of origin implemented in 2011 appears to go in the right direction.

Box 2

Preferences in duty-free and quota-free market access for the least developed countries

The manner in which duty-free and quota-free treatment is provided appears to differ remarkably across the so-called "Quad markets" (Canada, the European Union, Japan and the United States). Canada relies heavily on most favoured nation duty-free tariffs, while in the European Union, as many as 43 per cent of tariff lines are duty-free only for the least developed countries. The use of preferences implies that the utilization and coverage of preferences have an important bearing on the extent to which exporters from the least developed countries benefit from duty-free and quota-free market access.

Tariff lines covered by different tariff regimes, Quad markets, 2010 (per cent)



Source: TRAINS/WITS.

Preliminary estimates suggest that measured by import value terms (2009), least developed country imports that effectively receive duty-free and quota-free treatment become lower when preference utilization is taken into account. In the United States, the duty-free and quota-free coverage of import values appears to drop from 72 per cent to 39 per cent, owing to a low preference utilization rate of mineral fuels (with low preference margins), in addition to non-coverage of apparel products under its Generalized System of Preferences for the least developed countries. For the European Union, duty-free and quota-free coverage also appears to decrease, albeit to a lesser extent, from 99 per cent to 91 per cent due to less than full preference utilization.

C. Plurilateral approaches within the World Trade Organization

34. Increased attention has been given to plurilateral approaches outside the WTO negotiating context, as major countries seek to achieve deeper liberalization of sectors particularly relevant to modern economies.

35. Ongoing discussions among the parties to the Information Technology Agreement aim to expand the product coverage and participating countries to support vibrant trade in information technology-related products, which are often traded through global value chains. World exports of these products almost tripled in value between 1996 and 2010 to reach $1.4 trillion, representing 9.5 per cent of global merchandise exports. The Agreement, concluded by 29 participants in 1996, today counts 76 participants, representing 97 per cent of world trade in the sector. Tariff elimination is expected to facilitate trade in global value chains and promote innovation and access to technology. Adjustment challenges could arise for those

countries with uncompetitive domestic production in the form of reduced government revenue and increased imports. These negotiations were suspended in July 2013 owing to disagreements on product coverage.

36. On services, 22 countries[14] representing 70 per cent of the global trade in services are engaged in negotiations aimed at concluding a plurilateral Trade in Services Agreement. The negotiations were launched in an explicit attempt to overcome the stalemate in the Doha Round. Proponents have stressed the importance of reducing existing market access barriers unaddressed in the Doha Round (table 2). Existing estimates suggest a potential increase in bilateral exports in the order of $78 billion by addressing such barriers, although this largely depends to what extent the negotiations lead to actual cost reductions in the trade in services.[15] Non-participating countries have raised concern over its implications for the GATS framework and possible adverse effects if the agreement is not on a most favoured nation basis.

Table 2
Index of services trade restrictiveness by subsector (simple averages)

Average	*Overall*	*Financial*	*Retail*	*Telecom*	*Transport*	*Professional*
Developed countries	18.0	6.9	8.0	7.0	22.7	44.5
Developing countries	33.4	28.4	21.3	35.1	34.5	51.8
Transition economies	20.0	21.4	2.5	21.3	27.5	33.7
World	28.3	22.5	16.3	26.9	30.9	48.3

Note: Greater value indicates greater restrictiveness.
Source: World Bank Services Restrictions Database.

37. The Trade in Services Agreement is said to be comprehensive in scope, built upon the GATS approach and capture the liberalization achieved under regional trade agreements with regard to services. The GATS approach, as expected by some participants, would promote subsequent "multilateralization" and the participation of new members. To avoid "free-riding", the application of most favoured nation treatment to non-participating countries would be "temporarily suspended" as long as there is no critical mass of participants. Commitments would be based on applied levels of market access conditions, including through standstill requirements and a "ratchet mechanism" that allows automatic incorporation of additional future liberalization measures. National treatment would in principle be applied on a horizontal basis to all services sectors and modes of supply. Suggested rule-making would address domestic regulation (e.g. licensing procedures), sector-specific rules, the temporary movement of natural persons, government procurement, export subsidies and State-owned enterprises.

[14] Australia, Canada, Chile, Colombia, Costa Rica, European Union, Hong Kong (China), Iceland, Israel, Japan, Mexico, New Zealand, Norway, Panama, Paraguay, Pakistan, Peru, Republic of Korea, Switzerland, Taiwan Province of China, Turkey and the United States.

[15] Gary Clyde Hufbauer, J. Bradford Jensen and Sherry Stephenson, "Framework for the International Services Agreement", Policy Brief No. 12-10, Peterson Institute for International Economics (Washington, D.C., 2012).

38. Renegotiations among 15 members of the plurilateral Agreement on Government Procurement were completed in 2012 to update its disciplines and extend its coverage. Reportedly, the renegotiations have added some 200 additional procuring entities to their schedules, as parties have expanded coverage to central and provincial government entities and categories (e.g. services, construction) so far excluded and reduced monetary thresholds. New commitments are estimated to expand market access by $80-100 billion annually.[16] Government procurement is excluded from mandatory WTO disciplines, as many countries have traditionally used procurement for industrial and social policy purposes by giving preference to domestic industries, small and medium-sized enterprises and certain societal groups.

39. The increased attention given to plurilateral approaches to the WTO negotiations raises the question of the relevance and credibility of the multilateral trading system. The above-mentioned plurilateral agreements differ depending on (a) whether the results of negotiations are extended on a most favoured nation basis and (b) whether the agreement is or would be located within the WTO (see table 3).

Table 3
Typology of plurilateral agreements

	Unconditional most favoured nation treatment	*Conditional most favoured nation treatment (preferential)*
Within WTO	International Technology Agreement Post-Uruguay Round agreements on basic telecom and financial services	Government Procurement Agreement
Outside WTO	–	Regional trade agreements (GATT Art. XXIV, GATS Art. V) Trade in Services Agreement

Source: UNCTAD.

40. Although plurilateral approaches, bringing together like-minded nations, have proved to be effective in meeting short-term trade liberalization goals, the key question remains how to reconcile such short-term merit with the long-term systemic imperative of upholding and enhancing the multilateral trading system. Depending on the design, plurilateral agreements might have a bearing on some cardinal WTO principles, such as most favoured nation and special and differential treatment, and on the effectiveness of the dispute settlement mechanism and could lead to the fragmentation of the rule-based multilateral trading system.

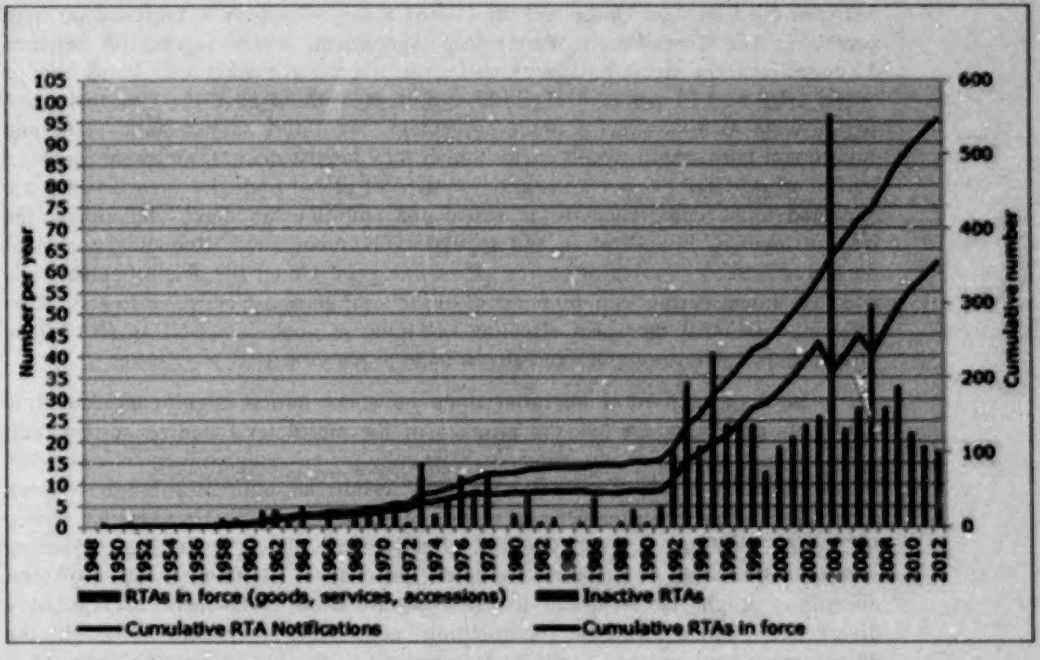
D. Regional trade agreements

41. The increased prevalence of regional trade agreements can be seen as the greatest challenge facing the multilateral trading system. As of January 2013, 546 such agreements had been notified to the WTO and of these, 354 were in force (see figure X). These agreements are estimated to cover nominally (i.e. including

[16] See http://www.wto.org/english/news_e/news11_e/gpro_15dec11_e.htm.

most favoured nation duty-free trade) over 50 per cent of world trade; and 80 per cent of services trade is said to take place among regional partners. Regional trade agreements cannot be simply dismissed as an inherent "foe" to the multilateral trading system as they are here to stay with nearly all countries being party to at least one such agreement. The key question from a development perspective is how to reconcile the two processes, as well as the various processes of the regional trade agreements, so that those arrangements in their totality contribute to convergence under the supremacy of the multilateral trading system.

Figure X
Evolution in the number of notified regional trade agreements



Source: WTO.

42. The so-called "twenty-first century regional trade agreements" differ qualitatively from previous agreements in their scope, composition and depth. They are oriented towards a deeper and more comprehensive integration with a strong regulatory focus. In addition to full market liberalization (with notable exemptions for agriculture), they aim to encompass a whole range of behind-the-border regulatory measures including investment, competition policy, capital movement, intellectual property rights, government procurement, labour standards and the environment. A salient feature is that these agreements are increasingly targeted at the major trading partners. For developed countries, this has meant emerging markets, countries endowed with natural resources and other developed countries.

43. The rise of global value chains as the predominant business model of transnational corporations appears to be significant in creating an incentive for countries to favour deeper regional integration. The trade-intensive and cost-sensitive nature of global value chains points to the case for reducing trade costs

holistically throughout the value chain by addressing the trade-investment-services nexus. It has been argued that this entails, for instance, investment liberalization and investor protection to promote long-term business relationships; still stricter protection of intellectual property rights to support the safe landing of technology; freer movement of business-related persons and capital, including profit repatriation; stronger competition policies to deter uncompetitive practices; harmonization of product standards to reduce regulatory divergence; improved customs procedures to support time-sensitive shipping and just-in-time inventory; and comprehensive liberalization of services, particularly of business, distribution and logistics services.

44. The two emerging mega-scale regional trade agreements — the Trans-Pacific Partnership Agreement and the Transatlantic Trade and Investment Partnership between the European Union and the United States — appear to be based on such premises. The Trans-Pacific Partnership Agreement, under negotiation between 12 countries (now including Japan), will create a regional market with 40 per cent of world GDP and 24 per cent of world exports and might pave the way towards a region-wide Asia-Pacific free trade agreement. The future Transatlantic Trade and Investment Partnership would create the world's largest market, representing about half of world GDP (47 per cent) and one third of global trade. Both agreements are expected to be comprehensive in scope and ambitious in depth and aim at the highest level of liberalization and regulatory harmonization. Reducing non-tariff measures is seen as a major source of income gain. Under the Transatlantic Trade and Investment Partnership, 80 per cent of the total gains are expected to arise from reducing non-tariff measures affecting the trade in goods, as well as restrictions affecting the trade in services and government procurement.[17]

45. The expansion of preferential trade networks among significant economic powers is expected to affect the primacy of the multilateral trading system built upon the non-discrimination principle. This calls for ensuring convergence between the multilateral and regional processes to ensure an optimal mixture of both arrangements, as well as coherence among regional processes. There is also a need for strong multilateral oversight and effective disciplines, including by setting minimum standards for regional regulatory provisions. Multilateralization of such disciplines might be required, as their proliferation could lead to regulatory divergence, which increases transaction costs for operators, although the development implications of such multilateralization need to be carefully assessed.

46. Since the twenty-first century regional trade agreements intersect with fundamental socioeconomic interests and values, reconciling the trade-promoting objectives of such agreements with other public policy objectives could be challenging. Some emerging regulatory agenda issues covered or expected to be under regional trade agreements are indicative in this regard.

47. The investor-State dispute settlement mechanism is among those contentious issues. There are concerns that it might confer greater rights on foreign investors in domestic legal systems and lead to "regulatory chill" as regulators might refrain from taking certain regulatory actions (e.g. stronger environmental regulation) for fear of a possible legal challenge under the dispute settlement mechanism, where such actions may be construed as "indirect expropriation". Recent regional trade agreements have

[17] Joseph Francois and others, *Reducing Transatlantic Barriers to Trade and Investment: An Economic Assessment* (London, Centre for Economic Policy Research, 2013).

incorporated disciplines on capital controls, essentially in order to facilitate the free and timely transfer of capital relating to investments that are covered by regional free trade agreements. The greater recognition given to capital controls after the financial crisis as a legitimate economic policy tool is expected to result in calls for rebalancing the existing approach, which favoured unfettered financial flows.

48. Addressing the potentially anti-competitive effects of State-owned enterprises has attracted increased attention. State-owned enterprises play a significant role in many countries in such areas as telecommunications, minerals and banking and insurance and tend to receive some preferential treatment, such as subsidies, and preferential access to finance. Regional disciplines have sought to level the playing field between such enterprises and private companies by eliminating these structural advantages.[18] Developing countries have stressed the importance of State-owned enterprises in their development strategies and in delivering social services. Furthermore, "localization" policies aimed at supporting domestic industry, services and technology (e.g. local content requirements and requirements to use local infrastructure to provide services, transfer technology and comply with country-specific standards) are increasingly placed under tight scrutiny, while such policies have played an important role as industrial policy tools.[19]

49. It is symbolic of the difficulties in reconciling a trade promotion agenda and regulatory objectives that cultural services (e.g. films, television, publications), often supported by subsidies and output quotas, have been suggested for exclusion from the negotiations on the Transatlantic Trade and Investment Partnership.

50. As regards environmental and labour standards, regional trade agreements and the WTO have recognized the right of parties to adopt or maintain measures "necessary to protect human, animal or plant life or health". This general exception can be narrowly interpreted under regional trade agreements to prevent measures aimed at protecting the environment from acting as a disguised form of protectionism. By contrast, recent regional trade agreements have introduced a commitment for the parties not to lower environmental or labour standards to gain export competitiveness or attract investment, which could potentially discourage policies aimed at enhancing productive capacities and competitiveness such as through labour market reform.

E. Implications of the "new" regionalism for developing countries

51. The twenty-first century regional trade agreements may represent a risk for weaker and more vulnerable developing countries, as they can find themselves left out of the regional trade agreement bandwagon, thereby further reducing their chance of integration into global value chains. When they participate in such agreements, these economies continue to be confronted with the "old" agenda of effectively dealing with adjustment challenges arising from market opening. For instance, negotiations between the European Union and the African, Caribbean and Pacific States for comprehensive economic partnership agreements, which started in

[18] Jeffrey. J. Schott, Barbara Kotschwar and Julia Muir, *Understanding the Trans-Pacific Partnership* (Washington, D.C., Peterson Institute for International Economics, 2013).

[19] *Trade and Development Report, 1981-2011* (United Nations publication, Sales No. E.12.II.D.5).

2002, are continuing for most subregions, with only the Caribbean region and four African countries having ratified their respective agreements.

52. For those developing countries in a position to put together twenty-first century regional trade agreements, strategic approaches are needed to address substantial power asymmetries in negotiations with their partners, as well as to build productive capacity and reap higher value added in the global value chains that may be promoted by such agreements. Building human, productive and technological capacity, enhancing competitiveness and developing infrastructure will require targeted policies. As new generation regional trade agreements, with their stronger behind-the-border disciplines, increasingly constrain the ability of countries to implement proactive trade and industrial policies, it is important that market opening objectives are critically balanced with the flexibility to design and implement measures to build essential productive capacities and move up the value ladder.

53. Consolidation and expansion of existing South-South regional integration initiatives are increasingly pursued as a strategy to support the integration of developing countries into regional value chains. Consistent with their vibrant intraregional trade, Asian countries have accelerated their engagement in regional trade agreements. For instance, the Association of Southeast Asian Nations (ASEAN) is headed towards the formation of an ASEAN Economic Community. The China-ASEAN free trade area has emerged as the world's largest regional trade agreement, comprising one third of world population and 13 per cent of world GDP. Regional integration in Africa now aims to boost intra-African trade by fast-tracking the establishment of a continental pan-African free trade agreement by 2017, building upon the existing tripartite free trade agreement initiative between the East African Community, the Common Market for Eastern and Southern Africa and the Southern African Development Community and through consolidation between regional economic communities in other parts of Africa.

54. South-South trade cooperation at the interregional level could promote a cross-fertilization of intraregional trade. Capable of connecting major growth poles in different continents, the Global System of Trade Preferences among Developing Countries, as reinvigorated by the conclusion of the third round of negotiations (São Paulo Round) in 2010, shows strong potential to bring significant gains. The recent ratification of the São Paulo Protocol by Cuba brought the agreement closer to effective implementation.

F. Other "new" issues and challenges

55. In the long run, upholding and strengthening the multilateral trading system to better respond to current and emerging economic realities will be crucial for reinvigorating the global partnership for development. The report of the Panel on Defining the Future of Trade, convened by the Director General of the WTO, identified a four-pronged "convergence" challenge faced by Governments, namely, convergence (a) among WTO members in negotiations; (b) of non-multilateral trade regimes with the multilateral trading system; (c) between trade and other domestic policies; and (d) between trade and public policy non-tariff measures. Recognizing various transformational changes in international trade, the Panel noted some issues as potentially relevant to the multilateral trading system, including competition

policy, investment, currencies, trade finance, labour, climate change, corruption and the coherence of international economic rules.[20]

56. The increased prevalence of global value chains is said to have called for a shifting focus of trade liberalization approaches and rules in favour of deeper liberalization and regulatory harmonization, including on competition and investment rules. Such a "new trade narrative" would need to be carefully balanced, bearing in mind the development implications of global value chains. Developing countries stress that since the developmental benefits of global value chains do not automatically flow from market opening, policies aimed at building productive capacity in activities that deliver greater value added and employment are legitimate and should be widely recognized.

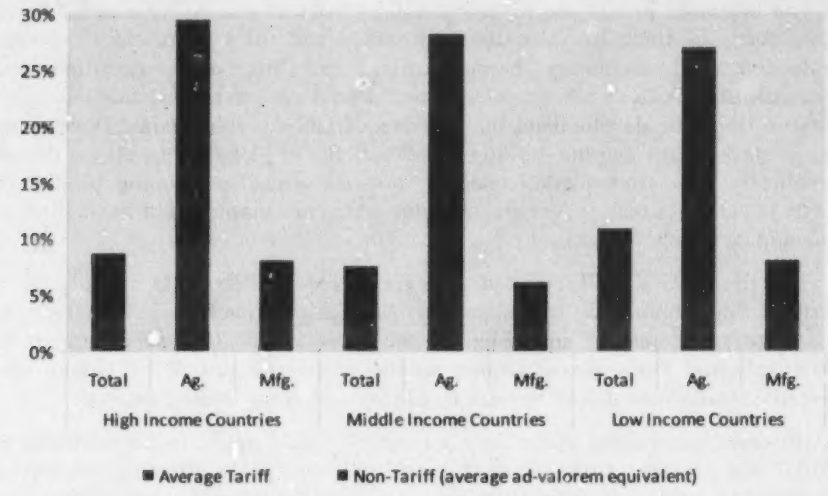
57. The fourth Global Review of Aid for Trade of the WTO in July 2013 underlined the importance of supporting strategies through Aid for Trade to "connect to value chains" and move up the value chain. This debate points to another systemic challenge pertaining to the place and design of special and differential treatment and development flexibility within the trading system.

58. However, recognition of the "new narrative" should not be to the detriment of the "old" and persistent trade issues ranging from tariff peaks affecting developing countries and escalation to trade-distorting agricultural subsidies. Indeed, continuation of the structural reform of agricultural trade policy, particularly in developed countries, remains one of the most relevant means to connect poor farmers with markets, to attain food security and to promote global sustainable development.

59. The increasing prevalence of global value chains and declining tariffs have underscored the trade-restrictive effects of non-tariff measures, particularly pertaining to human and animal health, safety and environmental regulations. UNCTAD research finds that, on average, non-tariff measures increase trade costs more than tariffs for all income groups, particularly in the agriculture sector (see figure XI). Exporters from low-income countries are particularly hard hit as non-tariff measures tend to fall on sectors of their export interest (e.g. food, textiles and apparel), while compliance costs are relatively higher for small-scale exporters from developing countries. The difficulty arises from the fact that since non-tariff measures are often based on legitimate public policy purposes, they cannot simply be eliminated.

[20] *The Future of Trade: the Challenges of Convergence* (Geneva, WTO, 2013).

Figure XI
Tariffs and non-tariff measures faced by exporters



Source: UNCTAD.

60. This points to the importance of the mutual recognition of regulatory measures and a coherent approach to rule-making in trade and public policies, particularly because there are a growing number of public policy measures that affect trade. Likewise, private standards have become a growing feature of contemporary international trade and, although they can advance sustainable production and consumption patterns and the internalization of environmental and social costs, they can also become hurdles, particularly for small and medium-sized enterprises in developing countries.

61. Despite recognition of the intrinsic difficulties of ruling in this area, a great deal of interest has also been expressed in addressing exchange rate misalignments in the WTO. These can drastically change the competitiveness of emerging economies and nullify the tariff reductions painstakingly negotiated at the multilateral level. Border tax adjustments and measures to support local producers of green sectors have generated several disputes (see box 3). Greater attention has been given to food security as higher food prices accentuate the importance of supportive measures, such as subsidies for production and stockholding, and export restriction. Similarly, high commodity prices would continue to place energy security and access to raw materials high on national policy agendas, with potential associated tensions expected over energy subsidies and export restrictions.

Box 3
Recent trade disputes over the trade-environment nexus

Several recent cases pertain to trade-related policy in pursuit of environmental objectives. There is growing concern over the decision of the European Union to impose provisional anti-dumping duties on imports of solar panels and their component wafers and cells from China. The United States has already imposed both anti-dumping and countervailing duties on Chinese-made solar cells since late last year, while the European Union is conducting a separate investigation into solar subsidies in China. Similarly, the United States has filed a complaint at the WTO over a local content requirement in the Indian national solar programme. The WTO Appellate Body has confirmed that the local content requirement in the feed-in tariff programme for renewable energy in the Canadian province of Ontario is inconsistent with WTO rules. The proposed application of the European Union emissions trading system to the aviation sector, a measure much contested by its trading partners, has been temporarily suspended.

IV. Conclusions

62. Trade should play a central role in international efforts towards the development agenda beyond 2015 for inclusive and sustainable development. Transformational shifts in the global economy in the twenty-first century have presented both challenges and opportunities for trade to play this role. These need to be addressed by conscious policy efforts, as the successful transmission of gains from trade integration to broad-based inclusive development is not an automatic process. Trade policy alone cannot put in place the conditions necessary for this to happen but needs to be supported by a wide range of complementary policies within a coherent and integrated strategic development framework. It should aim to enhance the link between trade, productive investment and employment creation by promoting diversification into higher value added activities.

63. Together with well-functioning markets, the role of the State is pivotal in identifying and implementing policy mixes that are best fitted to national circumstances and conditions. Strengthening coherence in international economic policymaking, not only between trade and international finance but also between trade and development policies, might be instrumental for aligning trade liberalization approaches with inclusive development imperatives. Coherence should also be reinforced between multilateral and regional agreements, so that these arrangements in their totality can be turned into an effective enabling environment for development, and marginalization of the weaker and less developed economies does not take place. Beyond the Doha Round, reinvigorating the negotiating function of the multilateral trading system will need to be tackled in the future. For global economic governance to be attained, a strong dispute settlement mechanism in the WTO has to be accompanied by a proper legislative functioning of the system, able to make rules in existing and new areas.

64. The United Nations system, particularly its "Geneva hub", can and should play a catalytic role in strengthening the multilateral trading system. Different cooperative frameworks put in place by UNCTAD and other partners have proven particularly successful in the last decade when dealing with sensitive issues in areas such as investment, trade facilitation and competition policy. They were based on a soft law-making approach, which consists in forging an international consensus on emerging issues through better data and analysis, knowledge of best practices, model laws and regulations, peer reviews, policy reviews and other means of knowledge creation and consensus-building. Such cooperative frameworks could be instrumental in creating an enabling environment in the area of trade, contribute to unlocking obstructed negotiating processes and therefore bolster the multilateral trading system.

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Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session

Work of the Advisory Board on Disarmament Matters

Report of the Secretary-General

Summary

The Advisory Board on Disarmament Matters held its fifty-ninth session in New York from 27 February to 1 March 2013 and its sixtieth session in Geneva from 26 to 28 June 2013. The Board focused its deliberations during its sessions on the following substantive items on its agenda: (a) the relations between nuclear-weapon-free zones in advancing regional and global security; and (b) disarmament and security implications of emerging technologies.

The Board had an in-depth exchange of views on the first item and recommended that the Secretary-General continue to emphasize the important role of the nuclear-weapon-free zones for regional and international peace and security, disarmament and non-proliferation, and should take the lead in promoting and further strengthening the existing zones. The Secretary-General should also encourage all nuclear-weapon States to extend formal endorsement to all zones, as appropriate. The Secretary-General should promote closer interaction and cooperation among the nuclear-weapon-free zones, including the possible creation of a platform/forum that would allow representatives of the existing nuclear-weapon-free zones to exchange experiences on the lessons learned from the zones, their benefits and limitations. The Secretary-General should explore the challenges and all relevant aspects to the establishment of new nuclear-weapon-free zones and should encourage further participation of think tanks and civil society in the efforts aimed at exploring new avenues and searching for common ground in order to overcome current deadlocks. The Secretary-General should strongly support all efforts aimed at the establishment of a zone free of nuclear weapons and all weapons of mass destruction in the Middle East, and should take the lead in organizing a preparatory meeting for the conference

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on establishing a Middle East zone free of nuclear weapons. The Secretary-General should also encourage all steps to promote confidence-building and constructive dialogue among the States of the region with the objective of breaking the current impasse. The Secretary-General should also consider appropriate action for the establishment of a nuclear-weapon-free zone in North-East Asia, including by promoting a more active role for the regional forums in encouraging transparency and confidence-building among the countries of the region.

The Board held an active exchange on the second agenda item at both its 2013 sessions, as well as during the intersessional period. The Board was of the view that the United Nations should be seized of the implications on international peace and security of rapidly emerging new technologies and recommended that the Secretary-General should take this issue in hand and emphasize the possible inherent dangers of weapon systems whose course of action is determined by machine algorithms and encourage efforts aimed at promoting increased transparency in this field, but should also note the value of emerging technologies in the service of peace and security. In particular, the Secretary-General should urge compliance with and respect for international humanitarian law, human rights and disarmament and should consider commissioning a comprehensive study that would constitute an in-depth analysis on the emerging technological trends and the legal, ethical and other aspects of and limits to the development, proliferation and use of the increasingly autonomous weapons technology. The United Nations Institute for Disarmament Research (UNIDIR) and other research and think tanks should be part of such an effort. On the basis of this study, the Secretary-General should promote coordinated efforts in an existing forum, such as the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, or through the establishment within the United Nations framework of a structured intergovernmental dialogue and formalized exchange on the emerging technologies to address the possible need for disarmament measures in respect of potential future fully autonomous systems.

Serving as the Board of Trustees of UNIDIR, the Advisory Board approved the submission of the report of the Director of the Institute on its activities from August 2012 to July 2013 and the proposed programme of work and estimated budget for 2013 and 2014 to the General Assembly and recommended the continuing subvention from the United Nations regular budget for the biennium 2014-2015. The Board reiterated its earlier recommendation that the subvention level be increased, in addition to being cost adjusted, to fully fund all core staff costs, as a requisite for providing the stability needed to allow the Institute to pursue the structure and programme of work justified by its vision and mission. The Board approved the report by the UNIDIR Director entitled "A sustainable funding structure for UNIDIR" for submission to the Secretariat. The Board also agreed on the establishment of a subgroup to manage the process of succession for the Director of UNIDIR. The Board heard briefings on the change management proposals that may impact UNIDIR, but was not persuaded that the key principles of autonomy and independence would be upheld in the putative new structure. The Board was doubtful that the outline plan, as it appears to affect UNIDIR, would enable the Institute to flourish in terms of both effective fundraising and original research and remained concerned that there is a risk that the value of UNIDIR to the disarmament community would instead be significantly reduced. The Board expressed dissatisfaction with the absence of any proper consultation since the start of change management proposals.

I. Introduction

1. The Advisory Board on Disarmament Matters held its fifty-ninth session in New York from 27 February to 1 March 2013 and its sixtieth session in Geneva from 26 to 28 June 2013. The present report is submitted pursuant to General Assembly resolution 38/183 O. The report of the Director of the United Nations Institute for Disarmament Research (UNIDIR), approved by the Advisory Board serving as its Board of Trustees, has been submitted in document A/68/182.

2. Desmond Bowen (United Kingdom of Great Britain and Northern Ireland) presided over the two sessions of the Board in 2013.

3. The present report summarizes the deliberations of the Board during the two sessions and the specific recommendations it conveyed to the Secretary-General.

II. Substantive discussions and recommendations

A. The relations between nuclear-weapon-free zones in advancing regional and global security

4. At its fifty-eighth session held in Geneva in July 2012, the Board briefly exchanged views on a number of possible issues for future discussions, including on the relations between different nuclear-weapon-free zones. Consequently, it was deemed to be timely for the Board to consider the issue of nuclear-weapon-free zones by looking into the relations between the various existing zones and ongoing proposals for the creation of such zones, such as in the Middle East, and how such zones would help in advancing both regional and global security.

5. At the fifty-ninth session of the Board a "food-for-thought" paper was presented by Board member Togzhan Kassenova. A presentation was also made by a representative of civil society, Gaukhar Mukhatzhanova, Senior Research Associate at the James Martin Center for Nonproliferation Studies at the Monterey Institute of International Studies.

6. The Board agreed that nuclear-weapon-free zones played an important role in promoting both regional and international security as well as non-proliferation, and further remarked on the opportunities for greater appreciation of the benefits brought by such zones.

7. The need for the nuclear-weapon States to fully endorse existing nuclear-weapon-free zones and their related Protocols for a number of such zones was underlined by several members. It was also mentioned that some countries in some of the zones made efforts to accommodate the nuclear-weapon States.

8. Some members stressed the importance of verification and compliance with some zones being better equipped to do so than others. Comments were made that certain regions lacked the capacity and means of monitoring compliance and, therefore, the international community and international organizations needed to assist such States in those regions to build up their capacities.

9. Given that each nuclear-weapon-free zone possessed its own characteristics, with some having weaker governance and compliance mechanisms than others, several Board members stressed the importance for nuclear-weapon-free zones to

discuss and compare models and to share lessons learned among themselves in order to reinforce their effectiveness and as models for the creation of new zones.

10. It was suggested by some Board members that the Secretary-General may wish to consider bringing together representatives of the different zones to discuss their respective experiences bearing in mind ongoing initiatives within the Treaty on the Non-Proliferation of Nuclear Weapons context and in the Conference on Disarmament.

11. The Board also stressed that any discussion on nuclear-weapon-free zones could not ignore the question of a Middle East zone free of nuclear weapons and all other weapons of mass destruction. The current lack of progress related to the proposed conference on the zone was seen as mostly political and not technical in nature, particularly the lack of political will.

12. The Board agreed that the Secretary-General should give the matter of the conference to establish a Middle East zone free of nuclear weapons and all other weapons of mass destruction renewed priority and engage the interested parties actively by taking a leading role in order to break the impasse. It was also suggested that the Secretary-General together with the other three convenors continue to strongly support the efforts of the facilitator.

13. The Board also expressed support for a suggestion to request the Secretary-General to hold a preparatory meeting for the conference to establish a Middle East zone free of nuclear weapons and all other weapons of mass destruction that could help start the process of setting the dates of the proposed conference.

14. In connection with the proposals for the establishment of nuclear-weapon-free zones in other regions, such as North-East Asia, one member mentioned that, in order to establish a nuclear-weapon-free zone, there should not be any serious security concerns among the States concerned, as well as a minimum level of confidence. Therefore, the creation of such a zone in North-East Asia was deemed difficult. Another member commented that, given the current strategic situation in South Asia, the establishment of a nuclear-weapon-free zone in the region looked to be extremely difficult, if not impossible.

15. A comment was also made over the importance of maintaining strategic stability as a basis for the establishment and development of nuclear-weapon-free zones. It was stressed that without strategic stability, any discussions on nuclear non-proliferation and disarmament were not possible.

16. The Board continued its deliberations on the relations between nuclear-weapon-free zones in advancing regional and global security at its sixtieth session in Geneva in June 2013. The deliberations were based on a number of "food-for-thought" papers presented by four Board members: Togzhan Kassenova, Rut Diamint, Sung-joo Choi and Wael al-Assad.

17. Given the significant role played by nuclear-weapon-free zones in preventing the proliferation of the nuclear weapons and promoting regional and international peace, security and cooperation, the Board emphasized the importance of enhanced interaction and regular exchange of knowledge and information among the representatives of the zones on lessons learned, "gold standards" in terms of institutionalization, verification, International Atomic Energy Agency (IAEA) safeguards and others, and agreed that a platform was needed for fostering such an

exchange of knowledge and experience and cooperation among the zones. Different views were expressed on the exact format of and participation in such a forum. It was pointed out that such a platform should not replicate, but rather supplement, existing cooperation forums. The establishment of new zones would benefit from the lessons learned from the experience of the existing zones.

18. Members of the Board emphasized the important role played by the existing nuclear-weapon-free zone secretariats in supporting the implementation of the treaty regimes, promoting knowledge and understanding on the purposes and functioning of the nuclear-weapon-free zones, thereby enhancing the interregional cooperation between the zones and exchanges of lessons learned and experiences. The members of the Board encouraged such institutionalization for the zones that had not already developed similar mechanisms.

19. The Board commended the continued and valuable support provided by the United Nations to the nuclear-weapon-free zones, as well as the important role played by the regional organizations and existing regional mechanisms. It also welcomed the positive role of civil society in implementing, with limited resources, existing zones and promoting the establishment of future zones, the exchange of information and knowledge and developing new proposals.

20. The members of the Board agreed that the establishment of new nuclear-weapon-free zones is a complex issue that is in the hands of the concerned States and depends on regional dynamics and the specific security situation in each geographic area. Once again, the need for constructive dialogue and confidence-building as necessary steps for the development of future zones in the Middle East and North-East Asia was emphasized. Concerns were expressed that the postponement of the conference on the zone in the Middle East is an additional source of tension in an already fragile region, which may further undermine the peace process. Members of the Board also stated that the postponement of the conference on the Middle East zone, unfulfilled commitments and lack of progress may hold the 2015 Non-Proliferation Treaty review process hostage.

21. The positive role that regional forums could play to promote the establishment of a zone in North-East Asia was mentioned by another Board member. Some members referred to the six-party talks as an appropriate mechanism in addressing denuclearization of the Korean peninsula, as well as peace and security in the peninsula.

22. Members of the Board referred to the responsibility of the nuclear-weapon States, the disappointment that different zones were not treated equally in terms of negative security assurances, the need for political will and continued efforts for the conclusion of the still pending nuclear-weapon-free zone treaty protocols. A suggestion was made that the Secretary-General should also appeal to the other nuclear-weapon-possessing States to reconfirm in a more formal way their support and respect for the nuclear-weapon-free zones. Such unilateral declarations in this respect could be taken note of by the Security Council along the lines of Security Council resolution 984 of 11 April 1995. The need to address extended deterrence with some States in the context of the establishment of future nuclear-weapon-free zones was also raised. A member of the Board proposed establishing a no-growth zone, for example, in South Asia, which would prevent further increases in fissile materials stocks and nuclear warhead numbers.

23. **The Board made the following recommendations:**

(a) The Secretary-General should continue to emphasize the important role of the nuclear-weapon-free zones as an essential practical tool for regional and international peace and security, disarmament and non-proliferation. The Secretary-General should take a leading role in promoting and further strengthening the existing zones by encouraging the nuclear-weapon-free zones member States to consider and adopt the highest positive standards and practices developed by other nuclear-weapon-free zones. The Secretary-General should encourage the nuclear-weapon States to extend formal endorsement to all zones and their related protocols and promote constructive dialogue among all relevant stakeholders on any outstanding issue. The Secretary-General should also encourage appropriate formal commitment of the other nuclear-weapon-possessing States in support of the nuclear-weapon-free zones;

(b) The Secretary-General should promote closer interaction and cooperation among the nuclear-weapon-free zones, including the possible creation of a platform or forum that would allow representatives of the existing nuclear-weapon-free zones to exchange experience on the lessons learned from the zones, their benefits and limitations. Regional and international organizations, think tanks and civil society organizations and networks should be part of this forum, as well as representatives of regions seeking the establishment of such future zones;

(c) The Secretary-General should consider appropriate ways to explore the challenges and all relevant aspects of the establishment of new nuclear-weapon-free zones as a non-proliferation and nuclear disarmament tool. UNIDIR should be part of such an effort. The Secretary-General should also encourage further involvement of think tanks and civil society organizations and networks in the efforts aimed at exploring new avenues and searching for common ground in order to overcome current deadlocks;

(d) The Secretary-General should use his authority to support all efforts aimed at the establishment of a zone free of all weapons of mass destruction in the Middle East. In particular, the Secretary-General could take the lead in organizing a preparatory meeting for the conference on the Middle East zone free of all weapons of mass destruction as soon as possible and as a matter of priority. The Secretary-General should encourage all steps promoting confidence-building and constructive dialogue among the States from the region with the objective of breaking the current impasse and promoting peace and security in the region;

(e) The Secretary-General should also consider appropriate action for the establishment of a nuclear-weapon-free zone in North-East Asia. In particular, the Secretary-General could promote a more active role for the regional forums in encouraging transparency and confidence-building among the countries of the region.

B. Disarmament and security implications of emerging technologies

24. The significant developments in technologies related to "unmanned and autonomous systems" have been receiving the growing attention of the international community as seen in the almost daily coverage of news in the international media, as well as in materials produced by many research institutes, of issues pertaining to the uses of unmanned aerial vehicles in particular. The use of such unmanned systems does not just cover military applications, but also encompasses a wider range of use for other non-military purposes, including law enforcement, border security and peacekeeping operations. Such technologies also potentially affect both international and domestic laws, as well as international humanitarian law.

25. During previous sessions of the Board, a number of members have regularly expressed the need for the Board to consider not only traditional disarmament and international security topics related to nuclear or conventional arms issues, but also emerging technologies that may have a significant impact on international peace and security. Moreover, the Board was considered as the appropriate body within the United Nations disarmament machinery to exchange views on such new technologies, particularly since all members are appointed by the Secretary-General to serve in their personal capacity. Consequently, the Secretary-General requested the Board to consider the implications of new technologies on disarmament and global security as the second item on its agenda for 2013.

26. At the fifty-ninth session of the Board, a briefing related to the topic of emerging technologies was provided by Michael Spies of the Office for Disarmament Affairs. A presentation was also made by Yousaf Mahmood Butt, a representative of civil society and Research Professor and Scientist-in-residence at the James Martin Center for Nonproliferation at the Monterey Institute of International Studies.

27. The Board's exchange of views on the issue of emerging technologies and the implications on disarmament and security was dominated by the topic of unmanned aerial vehicles, but experienced considerable difficulties in focusing on any particular aspect of the issue. The need to clearly understand and identify the issues involved was emphasized by several members. The lack of a clear definition on unmanned aerial vehicles was also mentioned. Some members also commented that the topic of emerging technologies was too broad and required some further guidance in order to assist the Board to focus its deliberations.

28. The question of dual uses for such technologies was mentioned by many members and the discussions were largely dominated by concerns over the military applications of unmanned aerial vehicles, particularly armed drones. Differences were also expressed on whether the discussions should focus on current uses of unmanned aerial vehicles or on future developments in the related technologies, especially autonomous unmanned aerial vehicles.

29. The need to focus on definitions and legal frameworks on how the use of unmanned aerial vehicles would affect the relevant international laws and the rules of war was raised by some members. Concerns were also expressed over the need to reinforce existing codes of conduct and moral codes, as these new technologies progress rapidly, especially since the international community apparently lacked efficient tools to control such new technologies.

30. An opinion was expressed that, if particular emerging technologies had not yet been developed for military purposes, an effort should be made to prohibit such technologies rather than focusing on non-proliferation. The prohibitions against the uses of blinding laser weapons or the placement of weapons in outer space were cited as good examples by some Board members.

31. A comment was made that ongoing efforts by the United Nations to seek the use of unmanned aerial vehicles for peacekeeping missions made the Organization a stakeholder in this matter, which also gave the United Nations and the Secretary-General some leverage on the issue.

32. There were also divergent views on whether unmanned aerial vehicles were in fact different from manned aircraft. It was also mentioned that the problem of unmanned aerial vehicles was not an arms control issue and that the real problem was the usage of unmanned aerial vehicles against other States and the citizens of other States on foreign territory. The question was raised whether current or new arms control instruments could be used as a means of regulating unmanned aerial vehicles in the distant future.

33. The need to discuss how to promote non-proliferation efforts with regard to unmanned aerial vehicles was also mentioned, especially in respect to non-State actors. Concerns were expressed that the threshold for military engagement, particularly offensive operations, had been further lowered and about the possibility of an arms race owing to the broader uses of unmanned aerial vehicles, particularly armed systems.

34. Some members suggested a United Nations study on the humanitarian aspects of the use of armed unmanned aerial vehicles and what that means for the Organization. However, other members were cautious about the Board engaging in discussions of human rights implications of the use of unmanned aerial vehicles. Instead, given that technologies such as armed drones were developing rapidly, it was questioned whether these weapons were really changing the face of war so much that they should be included in the disarmament agenda. Another question was whether these unmanned systems would be capable of carrying weapons of mass destruction in the future.

35. At its sixtieth session, the Board continued its in-depth analysis of the disarmament and security implications of emerging technologies, as requested by the Secretary-General. Two Board members, Fred Tanner and Sung-joo Choi, presented "food-for-thought" papers on this item.

36. On the basis of past experience regarding the usefulness of engaging in intersessional dialogue among members, using various communication tools, such as the Internet or videoconferences, and creating subgroups to tackle specific items during the intersessional period, the Board, at its fifty-ninth session, established such a subgroup to focus on emerging technologies and prepare the debate of the sixtieth session. The subgroup was moderated by Fred Tanner. Members of the subgroup exchanged views and made substantial contributions to the debate during the intersessional period.

37. The Board received a briefing from Nils Melzer, Senior Programme Adviser and Senior Fellow at the Geneva Centre for Security Policy, on the theme "International legal implications of drones and autonomous weapons".

38. The challenges to international peace and security posed by the emerging technologies were receiving growing attention by the international community. The members of the Board agreed that clear understanding was needed on what was referred to as "emerging technologies" in order to address the disarmament and security implications of these technologies. The Board considered three major categories: (i) human-controlled systems ("human-in-the-loop") that could perform tasks delegated to them independently; (ii) human-supervised systems ("human-on-the-loop") that could conduct targeting process independently, but theoretically remained under the real-time supervision of a human operator who can override automatic decisions; and (iii) autonomous systems ("human-out-of-the-loop") that can search, identify, select and attack targets without human control.

39. The Board addressed the unmanned aerial vehicles, also referred to as drones, as a specific type of unmanned robotic aircraft with various applications including military ones. The wide range of valuable unarmed applications for civilian, law enforcement and military purposes, such as reconnaissance and intelligence gathering or peacekeeping, was referred to by the members of the Board. It was emphasized that in recent years the use of unmanned aerial vehicles, including armed unmanned aerial vehicles, had increased most notably for the purpose of targeted killing operations. It was also underlined that while armed unmanned aerial vehicles were generally used for precision attacks against individually selected targets, their future use as delivery vehicles for weapons of mass destruction could not be excluded. The hacking or acquiring of drones by armed non-State actors was also referred to as a source of concern.

40. The members of the Board agreed that existing armed unmanned aerial vehicles are under the real-time remote control of a human operator. They are not inherently indiscriminate and the concerns expressed by the international community relate to the political, legal or security aspects of the way they are operated rather than to their design. Hence concerns associated with the use of drones are primarily an issue of the application of and respect for the existing law.

41. Looking at trends and future developments, the Board recognized the great potential and value of the emerging technologies in all civilian spheres of life. The Board also acknowledged the potential military utility of such systems, in particular, for verification, arms control and disarmament purposes.

42. On the other hand, the Board noted that the increasing trend towards automation of warfare and the development of fully autonomous weapon systems (also referred to as lethal autonomous robotics, LARs, or killer robots) gave rise to a wide range of legal, ethical or societal concerns that had to be addressed. These could include, inter alia, the ability of a fully autonomous system to conform to existing law (including international humanitarian law, human rights law or general international law); potential problems associated with the design of future fully autonomous weapons that could require disarmament action, or the ethical limits to robotic autonomy in deciding on the life or death of a human, to quote just a few.

43. In terms of applicability of international humanitarian law, it was emphasized that over the last years international humanitarian law has adequately responded to new emerging challenges through the application of the basic principles and existing norms. It was acknowledged, however, that the new emerging technologies might give rise to completely new challenges, hence the importance of holding an extensive informed discussion on them. It was pointed out that States have

responsibilities to ensure that new weapons are compatible with international humanitarian law in accordance with article 36 of Protocol I additional to the Geneva Conventions of 12 August 1949.[1]

44. It was underlined that the international community had the rare opportunity and responsibility to react preventively, if necessary, and that this requires prompt action owing to the rapid and unpredictable development of technology. Against this background, the Board agreed that a comprehensive study of the various aspects of the emerging technologies that could be used for military purposes should be carried on as soon as possible to clarify the potential threats and challenges and identify necessary action that could lead to a constructive outcome for the benefit of peace and security. The need for a forum for an intergovernmental dialogue on this issue, such as the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 1980,[2] that could also engage in legislative action, if necessary, was also emphasized, as well as for more transparency on new military or dual-use technological developments and national policies.

45. Several members of the Board stated that the high-speed development of new autonomous technologies was a complicated and multidimensional issue. There were three major aspects: technology, policy and law. On one side there was the extremely rapid development of technology and on the other side the slow evolution of the law governing these matters. This dichotomy means the political approach is essential to guiding future technological developments.

46. **The Board made the following recommendations:**

(a) **The United Nations should be seized of the implications for international peace and security of rapidly emerging new technologies. The Secretary-General should take this issue in hand and approach it from international humanitarian law, human rights and disarmament perspectives. In particular, the Secretary-General should emphasize the possible inherent dangers of weapon systems whose course of action is determined by machine algorithms and therefore should encourage efforts aimed at promoting increased transparency in this field. On the other hand, the Secretary-General should also note the value of emerging technologies in the service of peace and security, now and in the future;**

(b) **The Secretary-General should use his authority to urge compliance with and respect for international humanitarian law, human rights and disarmament commitments;**

(c) **The Secretary-General should consider commissioning a comprehensive study. The study should constitute an in-depth analysis on the emerging technological trends and the legal, ethical and other aspects of and limits to the development, proliferation and use of the increasingly autonomous weapons technology. UNIDIR and other research and think tanks should be part of such an effort;**

(d) **The Secretary-General should, based on the further study and better understanding of the issue by the international community, promote**

[1] United Nations, *Treaty Series*, vol. 1125, No. 17512.

[2] Ibid., vol. 1342, No. 22495.

coordinated efforts in an existing forum, such as the Conventional Weapons Convention, or through the establishment within the United Nations framework of a structured intergovernmental dialogue and formalized exchange on the emerging technologies among Member States to address the possible need for disarmament measures in respect of potential future fully autonomous systems. Such a consensus-oriented approach could result in a code of conduct, a road map or other tools and should involve Governments and relevant stakeholders from industry, research, academia and civil society.

III. Presentations by civil society and non-governmental organizations

47. As is customary, the Board heard presentations on issues pertaining to its agenda from representatives of non-governmental organizations. At its fifty-ninth session, Yousaf Butt, Research Professor and Scientist-in-residence at the James Martin Center for Nonproliferation at the Monterey Institute of International Studies, and Gaukhar Mukhatzhanova, Senior Research Associate at the James Martin Center for Nonproliferation Studies at the Monterey Institute of International Studies, gave briefings to the Board.

48. At its sixtieth session, the Board heard presentations from Alyn Ware, Director of Basel Peace Office, and Global Coordinator for Parliamentarians for Nuclear Non-Proliferation and Disarmament, and Maya Brehm, Consultant with Article 36, and Researcher at Geneva Academy of International Humanitarian Law and Human Rights.

IV. Presentation by the International Committee of the Red Cross

49. The Board heard presentations on issues pertaining to its agenda from a representative of the International Committee of the Red Cross (ICRC). At its sixtieth session, Kathleen Lawand, Head of Arms Unit, Legal Division, ICRC, gave a briefing to the Board.

V. Board of Trustees of the United Nations Institute for Disarmament Research

50. At its fifty-ninth session, the Advisory Board, sitting as the Board of Trustees, received a briefing from the Director of UNIDIR on the work of the Institute since the previous session of the Board in July 2012, and an update on its programme of work for 2013. The Board also exchanged views on a draft sustainable funding strategy paper prepared by UNIDIR and provided comments and advice on the paper.

51. A briefing was also given by the Acting Executive Director of the United Nations Institute for Training and Research, Sally Fegan-Wyles, on the change management proposals that may impact UNIDIR. This was the first exchange on the subject involving the Board of Trustees, and the dialogue was appreciated.

Nonetheless, the Board expressed regret that the start of the dialogue had been so long delayed. The information provided had not persuaded the Board that the key principles of autonomy and independence would be upheld in the putative new structure. The Board of Trustees agreed that the Chair should write a letter to the Secretary-General in the pursuance of issues arising from that briefing.

52. At its sixtieth session, the Board of Trustees received a briefing by video link by Assistant Secretary-General Kim Won-soo, Special Adviser to the Secretary-General on Change Implementation, on the draft change management proposal involving UNIDIR. He gave assurances that the operational autonomy and research independence of UNIDIR (established by statute) would be preserved, but offered no evidence of how that would be achieved once UNIDIR was embedded in a management structure reporting to a new Assistant Secretary-General post with its own governing board. The prospective role of the Board, which is mandated to govern the Institute, was not clarified. The Assistant Secretary-General promised to provide, for the first time, a written proposal, on which he invited the Board's comments, notwithstanding that the Board is not scheduled to meet again until March 2014.

53. While the Board strongly supports the Secretary-General's objectives for reform, it is also intent upon enhancing the valuable contribution of UNIDIR to the United Nations disarmament machinery and policy development. The Board was dissatisfied with the absence of any proper consultation since the start of change planning in the summer of 2012; it was also doubtful that the outline plan, as it appears to affect UNIDIR, would enable the Institute to flourish in terms of both effective fundraising and original research. Indeed, the Board remained concerned that there is a risk that the value of UNIDIR to the disarmament community would instead be significantly reduced.

54. The Director of UNIDIR presented the revised sustainable finance plan, requested by the Deputy Secretary-General of the United Nations on 12 June 2012, which took into account the comments received at the fifty-ninth session of the Board. The Board considered the revised plan and provided comments and advice on alternative methods of financing, such as private funding or seconded senior research fellows, as well as on the most sustainable funding model for the Institute.

55. The Board approved the report of the UNIDIR Director on the theme "A sustainable funding structure for UNIDIR", dated 17 June 2013, for submission to the Secretariat and endorsed option 1, as contained therein (core staff fully funded from the regular budget) as the most sustainable funding model for the Institute.

56. The Director of the Institute briefed the Board members on the work of the Institute since the Board session in February 2013 and planned activities for 2014 and beyond, and on the proposed programme of work and budget, including a request for a continuing subvention from the United Nations regular budget.

57. The Board strongly commended the broad range of research activities carried out by UNIDIR and praised, in particular, the ability of the Institute and its staff to generate useful thinking on various disarmament issues.

58. The Board engaged again in an in-depth discussion on the challenges faced by the Institute over funding and what could be done to ameliorate the situation. The importance of adequate funding for the Institute was reiterated. The Board continued to urge the Member States and the Secretariat to provide strong financial

support for the Institute. The Board expressed deep regret that, owing to financial constraints, the flagship publication of UNIDIR — *The Disarmament Forum* — ceased to exist in 2012, and provided advice on alternative ways to maintain high visibility of the Institute.

59. After considering the Institute report, the Board approved its submission to the General Assembly and recommended the continuing subvention from the United Nations regular budget for the biennium 2014-2015, while also reiterating its earlier recommendation (see A/66/125, para. 36, and A/67/203, para. 56) that the subvention level be increased, in addition to being cost adjusted, to "fully fund all core staff costs, as a requisite for providing the stability needed to allow the Institute to pursue the structure and programme of work justified by its vision and mission". The Board noted that in recent years the buying power of the subvention had decreased to a level that no longer supported even the costs of the Director, thus falling short of its original purpose.

60. Given that the contract of the current Director expires at the end of December 2014, the Board agreed on the establishment of a subgroup to manage the process of succession for the Director of UNIDIR, thus enabling the Board of Trustees as a whole to make recommendations to the Secretary-General on the appointment of a new Director, so that there is seamless continuity in the leadership of UNIDIR. This subgroup would operate in close coordination with the secretariat of the United Nations Office for Disarmament Affairs.

VI. Future work

61. The Board exchanged views on a number of possible topics for discussion at its 2014 sessions, such as the role of the United Nations in nuclear security; cybersecurity and cyberwarfare; perspectives of ensuring survivability of the Non-Proliferation Treaty in the rapidly changing world; or perspectives for the international efforts to prevent the placement of arms in outer space.

62. The Board agreed to suggest as possible topics for 2014: (i) a continuation of the discussion on the disarmament and security implications of emerging technologies; and (ii) review of the value and prospects of the Non-proliferation Treaty process.

VII. Conclusion

63. At both its sessions in 2013, the Board was able to successfully conclude deliberations on the two items in its agenda. It provided a set of recommendations to the Secretary-General on the issue of the relations between nuclear-weapon-free zones in advancing regional and global security and disarmament and security implications of emerging technologies. As the Board of Trustees of UNIDIR, the Advisory Board spent considerable time looking into the research activities of the Institute, particularly the continuing serious funding challenges faced by UNIDIR, the change management reform and its impact on the autonomy and functioning of UNIDIR, as well as the succession of the Director of the Institute.

Annex

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Sixty-eighth session
Item 69 (b) of the provisional agenda*
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Follow-up to the International Year of Human Rights Learning

Report of the Secretary-General

Summary

The present report is submitted in response to General Assembly resolution 66/173, concerning the follow-up to the International Year of Human Rights Learning, in which the Assembly requested the Secretary-General to submit to it at its sixty-eighth session a report on the implementation of the resolution.

In the present report, the Secretary-General outlines human rights education, training and learning developments and activities in follow-up to the International Year that were facilitated by the Office of the United Nations High Commissioner for Human Rights from July 2011 to June 2013, in particular in the context of the World Programme for Human Rights Education (2005-ongoing). United Nations initiatives such as the International Year, the World Programme and the United Nations Declaration on Human Rights Education and Training represent the commitment to human rights education by Governments at the international level and the consensus of the international community on the key contribution of effective human rights education, training and learning to the realization of human rights.

* A/68/150.

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I. Introduction

1. By its resolution 62/171, the General Assembly decided that the year commencing on 10 December 2008 should be proclaimed the International Year of Human Rights Learning, called upon Member States to intensify their efforts to promote human rights learning and education at the local, national and international levels and, to that end, encouraged cooperation at all levels and with all relevant stakeholders. Subsequently, the Assembly considered the matter at its sixty-third and sixty-fourth sessions, adopting resolutions 63/173 and 64/82, respectively.

2. At its sixty-sixth session, the General Assembly considered the report of the Secretary-General on the follow-up to the International Year (A/66/225), which provided information on initiatives carried out up to June 2011 to achieve the objectives of the Year. In its resolution 66/173, the Assembly encouraged Member States to expand on efforts made beyond the Year and to consider devoting the financial and human resources necessary to further design and implement international, regional, national and local long-term human rights learning programmes of action aimed at broad-based and sustained human rights learning at all levels, in coordination with related stakeholders. It called upon the United Nations High Commissioner for Human Rights and the Human Rights Council to support, cooperate and collaborate closely with all relevant stakeholders in efforts to develop, in particular, the design of strategies and programmes of action. The Assembly further requested the Secretary-General to submit to it, at its sixty-eighth session, a report on the implementation of the resolution.

3. In the same resolution, the General Assembly also welcomed the adoption by the Human Rights Council of the United Nations Declaration on Human Rights Education and Training. The Declaration constitutes a new normative reference for the international community.

4. In the present report, the Secretary-General outlines human rights education, training and learning developments and activities from July 2011 to June 2013 that were facilitated by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in follow-up to the International Year, in particular in the context of the World Programme for Human Rights Education.

II. Global coordination of the World Programme for Human Rights Education

5. The World Programme for Human Rights Education was proclaimed by the General Assembly in its resolution 59/113 A as an ongoing global initiative, structured in consecutive phases that were scheduled to begin on 1 January 2005. The first phase (2005-2009) was focused on the integration of human rights education into primary and secondary school systems. The related plan of action (see A/59/525/Rev.1) was adopted by the Assembly in its resolution 59/113 B. The second phase (2010-2014) is focused on human rights education in higher education and on human rights training for teachers and educators, civil servants, law enforcement officials and military personnel. The related plan of action (see A/HRC/15/28) was adopted by the Human Rights Council in its resolution 15/11.

6. Pursuant to resolution 15/11, in June 2012, the United Nations High Commissioner for Human Rights submitted to the Human Rights Council a progress report on the implementation of the second phase of the World Programme (A/HRC/21/20 and Corr.1-2). In that report, the High Commissioner provided an overview of national human rights education initiatives, as reported by Governments and national human rights institutions from 45 countries. She also highlighted activities carried out by OHCHR, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and other intergovernmental organizations in support of national efforts. She documented an increasing commitment by Member States to advancing human rights education in all sectors, including in terms of the institutionalization of human rights education and training. She concluded by highlighting the application of sound educational methodologies based on good practice and assessed through continuing evaluation, in addition to regular cooperation, networking and information-sharing among all actors, as key strategies to ensure the effectiveness of educational efforts. Lastly, she encouraged the formulation of national implementation strategies building on needs assessment and including a monitoring and evaluation process, as proposed in the plan of action of the World Programme, in order to maximize the long-term impact of human rights education towards the full realization of human rights.

7. The Human Rights Council considered that progress report at its twenty-first session and adopted resolution 21/14, in which it welcomed the initiatives undertaken by all relevant stakeholders and encouraged States and others to take steps to implement the World Programme. It also requested OHCHR to seek the views of States, national human rights institutions and other relevant stakeholders on the target sectors, focus areas or thematic human rights issues for the third phase of the World Programme and to submit a report thereon to it at its twenty-fourth session. In the first half of 2013, the High Commissioner prepared a report in response to that request (A/HRC/24/24).

8. Since the progress report of June 2012 to the Human Rights Council, OHCHR has continued to promote the two plans of action of the World Programme and to assist Member States in their national-level implementation. A booklet containing the plan of action for the second phase was published in July 2012 and is available in the six official languages of the United Nations. The Office has maintained and further expanded its web pages on the World Programme and related initiatives in English, French and Spanish[1] and has continued to interact with a wide range of actors such as Governments, United Nations entities, other intergovernmental organizations and civil society.

9. Upon the initiative of the Irish Human Rights Commission, OHCHR and the Commission are co-organizing an international conference on human rights education and training for the civil and public service, to be held in Dublin in December 2013. It will showcase and share good practice in human rights training for the civil service and will encourage and support the design and implementation of human rights training for civil servants in accordance with the World Programme. In preparation for the conference, a compendium of existing relevant practices implemented or supported by national human rights institutions is being compiled.

[1] See www.ohchr.org/EN/Issues/Education/Training/Pages/Programme.aspx.

10. OHCHR participates in the International Contact Group on Citizenship and Human Rights Education, which was launched by the Council of Europe to ensure close cooperation among regional and international initiatives in that field, including with regard to the regular sharing of information and the implementation of joint activities. Other members are the Arab League Educational, Cultural and Scientific Organization, the European Commission, the European Union Agency for Fundamental Rights, the Organization of American States, the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe and UNESCO.

III. Tools and resources

11. OHCHR has continued to develop and disseminate selected human rights training and education materials and methodologies based on good practice.[2] Since June 2012, it has published the Arabic, French and Spanish editions of *Evaluating Human Rights Training Activities: A Handbook for Human Rights Educators*, which is aimed at supporting the rigorous, systematic and continuous evaluation of human rights training activities in order to maximize their impact. OHCHR has also produced, together with two non-governmental organizations, *A Path to Dignity: The Power of Human Rights Education*, a short film (28 minutes) documenting the positive impact of human rights education on people's lives. The film was launched at the twenty-first session of the Human Rights Council, in September 2012, and at the sixty-seventh session of the General Assembly, in December 2012. Lastly, in November 2012, OHCHR published, jointly with UNESCO, *Human Rights Education in Primary and Secondary School Systems: A Self-assessment Guide for Governments*.

12. OHCHR is currently updating *Human Rights Training — A Manual on Human Rights Training Methodology*, published in 2000, and *The Right to Human Rights Education*, published in 1999. The latter is a compilation of provisions on human rights education adopted by Governments in the context of various intergovernmental mechanisms.

13. OHCHR continued to maintain and expand the Resource Collection on Human Rights Education and Training,[3] a specialized section of the OHCHR library in Geneva that gathers more than 3,500 human rights education and training materials from around the world, and the database on human rights education and training, which is aimed at facilitating the sharing of information on learning programmes and educational institutions worldwide.[4] In this context, OHCHR has responded to human rights education queries from governmental and non-governmental entities, including academic institutions, and has provided related reference services and other guidance.

14. OHCHR also maintains an extensive collection of the Universal Declaration of Human Rights in various languages and dialects, all available through its website, and a collection of print and other material pertaining to the Declaration. There are currently translations of the Declaration into more than 400 national and local

[2] OHCHR publications, including relevant electronic versions, are available from www.ohchr.org/EN/PublicationsResources/Pages/Publications.aspx.

[3] The catalogue is available from www.ohchr.org/EN/Issues/Education/Training/Pages/Collection.aspx.

[4] The database is available from http://hre.ohchr.org/hret.

languages and dialects. The collection includes some 400 items, such as printed materials, audiovisual resources and a broad range of commemorative items.[5]

15. In 2012, more than 115,000 printed OHCHR publications were distributed globally, most notably those belonging to the *Fact Sheets Series*, the *Training and Education Materials Series* and the *Rule-of-Law Tools Series*, in addition to *Working with the United Nations Human Rights Programme: A Handbook for Civil Society*. While many of those copies benefited external audiences, they also served as training tools, advocacy and information materials to support the work of the Office worldwide.

IV. International programmes and support[6]

16. OHCHR continued to develop and implement, jointly with the United Nations Institute for Training and Research, the Human Rights Orientation Programme for Diplomats, which aims at enhancing governmental officials' understanding of the United Nations human rights protection system.

17. A focus of OHCHR work has been the strengthening of national capacity for human rights training of military, police and other staff deployed to peacekeeping operations. In 2012, OHCHR reviewed and provided content to the predeployment training course for military staff officers and made progress on updating a training package for military peacekeepers. It updated the human rights predeployment training modules used by trainers from the Department of Peacekeeping Operations of the Secretariat for inductions of newly deployed mission civilian personnel in Brindisi, Italy. OHCHR also coordinated and supported the delivery of human rights training in Department of Peacekeeping Operations courses organized for current and potential senior mission leaders.

18. The Office has continued to strengthen the capacity and skills of United Nations human rights personnel, both of human rights components of peacekeeping missions and of OHCHR headquarters and field presences, through the organization and delivery of training courses on human rights functions or on specific issues, on a regular or ad hoc basis, including on:

(a) Designing, managing and delivering human rights training;

(b) Human rights in humanitarian action;

(c) Human rights monitoring and investigations;

(d) Monitoring economic, social and cultural rights;

(e) Monitoring and investigating conflict-related sexual violence;

(f) The Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto.

19. The Assisting Communities Together project is a joint initiative of OHCHR and the United Nations Development Programme (UNDP) awarding, since 1998, small

[5] On resources pertaining to the Declaration, see www.ohchr.org/EN/Issues/Education/Training/Pages/UDHR.aspx .

[6] For more complete information about activities referred to in the present section, see www2.ohchr.org/english/ohchrreport2012/web_en/index.html.

grants to national and local civil society organizations in support of grass-roots human rights education initiatives in selected countries. In 2011-2012, the grants supported activities countering discrimination. A total of 28 OHCHR and 20 UNDP grants were awarded in Cameroon, Cape Verde, the Central African Republic, Ecuador, Iraq, Kosovo,[7] Mauritania, the Republic of Moldova, Senegal, the former Yugoslav Republic of Macedonia, Togo, Uganda and Uruguay. In 2012-2013, under the eighth phase of the project, OHCHR awarded 17 grants and UNDP 14 grants in Burkina Faso, Cameroon, the Dominican Republic, El Salvador, the Republic of Moldova, the State of Palestine, the Sudan, the former Yugoslav Republic of Macedonia and Tunisia.[8]

20. In 2012, in the context of the OHCHR fellowship programme, a senior indigenous fellow from Canada and a senior minority fellow from Lebanon undertook on-the-job training with the Indigenous Peoples and Minorities Section at OHCHR headquarters in Geneva. Two other indigenous fellows who had already undergone training in Geneva visited OHCHR field presences in Guatemala and the Russian Federation to further increase their knowledge and skills.

21. OHCHR grants, the participation of specialized OHCHR staff and other contributions have supported international human rights education activities organized by other actors.

V. Regional and national programmes and support[6]

22. Human rights education and training are a regular feature of the work of OHCHR field presences and human rights components of peace missions, often in collaboration with relevant sections at OHCHR headquarters.

23. A non-exhaustive list of activities that were conducted in 2012 includes human rights training courses for security forces in Côte d'Ivoire, Guinea, Guinea-Bissau, Qatar, Sierra Leone, Timor-Leste, Togo, Tunisia and Uganda. In Haiti, training-of-trainers sessions were organized to support the police academy in implementing a human rights curriculum for new police officers. In Uganda, OHCHR developed a training manual on human rights, gender-based violence and child protection, which was tested and validated in training sessions with the Ugandan police.

24. Training for prison staff was carried out in the Democratic Republic of the Congo and Uganda. In Cambodia, OHCHR supported the development of a comprehensive training plan for prison staff, which was subsequently approved by the Ministry of the Interior. Training and awareness-raising programmes on human rights in the context of elections were delivered in Guinea, Madagascar and Uganda. OHCHR assisted the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union in the development of training materials and programmes for European Union border guards on human rights and, in particular, the human rights-based approach to combating and preventing trafficking in persons. In Guinea, OHCHR developed training programmes on human rights in the administration of justice and, in

[7] References to Kosovo shall be understood to be in the context of Security Council resolution 1244 (1999).

[8] The project web pages are available from www.ohchr.org/EN/Issues/Education/Training/ACTProject/Pages/ACTProjectIndex.aspx.

particular, on detention-related issues. In the Democratic Republic of the Congo, training focusing on protection of civilians was provided to United Nations military observers and police officers.

25. OHCHR conducted training for judicial actors in Chile, Côte d'Ivoire, the Democratic Republic of the Congo, the Dominican Republic, Honduras, Mexico, Kyrgyzstan and Somalia, as well as in Darfur. In Bolivia (Plurinational State of) and Peru, training courses and workshops on indigenous peoples' rights were organized for judges and magistrates. In the Republic of Moldova, policymakers and lawmakers received training focusing on the prohibition of discrimination. In the Plurinational State of Bolivia, OHCHR organized a number of workshops on the development of human rights indicators. In Ecuador, public planning officials increased their knowledge of methodologies for the formulation of public policies from a human rights perspective as a result of specialized training facilitated by OHCHR.

26. In Nepal, workshops on monitoring economic, social and cultural rights were organized for local government officials, civil society organizations and community-based groups. Targeted training on the justiciability and national application of economic, social and cultural rights was provided to local actors in West Africa. Workshops on the right to adequate housing were held in Kazakhstan, Papua New Guinea and Serbia.

27. The capacity of 250 teachers belonging to various Colombian educational institutions was strengthened through training sessions on human rights and human rights education. In Timor-Leste, the United Nations human rights presence organized capacity-building training for members of school-based human rights clubs. In Darfur, OHCHR implemented a seminal programme that brought together 180 destitute children in two training sessions to tackle issues relating to human rights abuses.

28. With regard to journalists, OHCHR facilitated human rights training in Côte d'Ivoire and Kenya. In the Democratic Republic of the Congo, OHCHR brought together the members of a newly established network of journalists for human rights and conducted training on human rights and elections in order to efficiently contribute to the inclusion and participation of the most marginalized groups, including women, persons with disabilities and indigenous peoples.

29. In Panama, OHCHR trained members of a national permanent commission established to follow up on recommendations formulated by human rights mechanisms. Training-of-trainers sessions on various methodologies relating to human rights education were organized for staff of the Office of the Ombudsman of Tajikistan. In the Russian Federation, OHCHR organized workshops for national human rights institutions on issues of discrimination on the grounds of ethnicity and religion. A workshop on human rights concepts and principles was held for members of the Human Rights Committee of the Parliament of Uganda. OHCHR contributed to the work of the Senegalese authorities to combat trafficking in persons by facilitating a training session on the human rights-based approach. Training programmes on the rights of persons with disabilities were held for the Southern Darfur Human Rights Commission. In Cameroon, OHCHR provided advice, training and relevant documentation to the National Human Rights Commission. Training sessions on human rights monitoring and reporting were held for members of the first Iraqi Independent High Commission for Human Rights. In Timor-Leste, technical advice and training were provided to government officials and civil

society organizations to strengthen national institutions and promote transitional justice. Workshops on transitional justice were also organized in the Democratic Republic of the Congo to increase victims associations' knowledge of transitional mechanisms, in particular those relating to effective redress for victims.

30. OHCHR provided training for civil society on human rights advocacy in Côte d'Ivoire. Training on human rights monitoring and reporting for civil society and human rights defenders was organized in Azerbaijan, Guinea-Bissau, Cambodia, Kosovo and Papua New Guinea. In Honduras, OHCHR trained 15 civil society organizations representing vulnerable groups, such as indigenous peoples, Afro-descendants, women and lesbian, gay, bisexual and transgender persons. The training effort focused on strategic litigation in order to improve knowledge of national, regional and international human rights protection systems. In Nicaragua, OHCHR trained 38 indigenous women from 18 diverse ethnic groups on the use of international mechanisms. In Haiti, OHCHR supported, also through training on protection issues, the integration of internally displaced persons and, in particular, the involvement of women's groups in the management of camps for internally displaced persons and the drawing up of protection strategies in their areas of residence. Through training, OHCHR enhanced knowledge of sexual and gender-based violence among 146 traditional leaders from Sierra Leone. In Cameroon, training sessions on gender and participation in public life were held.

31. With regard to the United Nations human rights mechanisms, workshops on the universal periodic review process were organized in a number of regions, including the Middle East, and in a range of countries, including Argentina, Azerbaijan, Burundi, Chad, Honduras, Myanmar, the Niger, Panama, Peru, Rwanda, Somalia, Tonga, Tunisia, Tuvalu and Venezuela (Bolivarian Republic of). In Côte d'Ivoire, OHCHR training sessions increased civil servants' knowledge of treaty body reporting and the implementation of related recommendations, as well as of the recommendations made in the context of the universal periodic review and of the African regional human rights systems. OHCHR also conducted training on reporting and the implementation of recommendations of United Nations treaty bodies in numerous countries, including Chad, Ecuador, Paraguay, Sierra Leone and the former Yugoslav Republic of Macedonia. OHCHR organized training courses for some 150 representatives of Bolivian civil society organizations on the Convention on the Rights of Persons with Disabilities. OHCHR also conducted training sessions in Peru on the International Convention for the Protection of All Persons from Enforced Disappearance. OHCHR provided training to Kyrgyz governmental bodies on the guidelines with regard to the reporting process in the context of the Convention on the Elimination of All Forms of Discrimination against Women. In Swaziland, OHCHR held a three-day training workshop on reporting under the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Training relating to the reporting process for the latter was also organized for the Government of Tunisia. In the State of Palestine, OHCHR conducted workshops for non-governmental organizations on the submission of communications to the special procedures of the Human Rights Council.

32. In Brazil, OHCHR provided technical assistance to the United Nations country team through training on human rights instruments. In Ecuador, OHCHR organized a workshop for United Nations agencies to increase their knowledge and understanding of the right to prior consultation of indigenous peoples.

VI. Conclusions

33. **As detailed in the 2012 progress report on the implementation of the World Programme, OHCHR is witnessing growing interest and involvement in human rights education, training and learning by all actors: governmental bodies, national human rights institutions, civil society actors and intergovernmental organizations. United Nations initiatives, such as the International Year of Human Rights Learning, the World Programme for Human Rights Education and the United Nations Declaration on Human Rights Education and Training, represent the commitment to human rights education by Governments at the international level and the consensus of the international community on the key contribution of effective human rights education, training and learning to the realization of human rights.**

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Promotion and protection of human rights

National institutions for the promotion and protection of human rights

Report of the Secretary-General**

Summary

In its resolution 66/169, entitled "National institutions for the promotion and protection of human rights", the General Assembly requested the Secretary-General to submit a report to it at its sixty-eighth session on the implementation of the resolution. The present report, covering the period September 2012 to September 2013, contains information on the activities undertaken by the Office of the United Nations High Commissioner for Human Rights to establish and strengthen national human rights institutions; measures taken by Governments and national human rights institutions in this regard; support provided to international and regional activities of national human rights institutions; technical assistance provided to and on national human rights institutions, together with other United Nations agencies and programmes; and cooperation between national human rights institutions and international mechanisms to promote and protect human rights. Information regarding the work on and support to national human rights institutions by international and regional organizations is also included.

The present report complements the report of the Secretary-General to the Human Rights Council of 2 April 2013 (A/HRC/23/27), which covers activities for the period April 2012 to March 2013.

* A/68/150.

** All references to Kosovo in the present report, whether to the territory, institutions or population, are to be construed in the context of Security Council resolution 1244 (1999) and without prejudice to the status of Kosovo.

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I. Introduction

1. The present report is submitted pursuant to paragraph 20 of General Assembly resolution 66/169 of 19 December 2011 on national institutions for the promotion and protection of human rights, in which the Assembly requested the Secretary-General to report to it at its sixty-eighth session on the implementation of the resolution. The report covers the period from September 2012 to September 2013, and complements the report of the Secretary-General to the Human Rights Council of 2 April 2013 (A/HRC/23/27), which covered the period from April 2012 to March 2013.

2. The General Assembly, in its resolution 66/169, highlighted the role of independent national institutions for the promotion and protection of human rights in working together with Governments to ensure full respect for human rights at the national level, and in supporting cooperation between Governments and the United Nations in the promotion and protection of human rights. The resolution commended the high priority given by the Office of the United Nations High Commissioner for Human Rights (OHCHR) to national human rights institutions. Accordingly, in the period under review, OHCHR provided advice and assistance for strengthening national human rights institutions in 45 countries, and contributed to the establishment of national human rights institutions in eight countries.

3. In its resolution 66/169, the General Assembly also recognized the role played by national human rights institutions in their engagement with the United Nations human rights mechanisms. In the period under review, national human rights institutions were active before and during the sessions of the Human Rights Council, delivering statements, submitting written documentation, participating in general debates and under specific agenda items, organizing parallel events and interacting with the special procedures. National human rights institutions also interacted with treaty bodies by submitting reports, briefing the treaty bodies prior to country review or attending sessions.

4. The General Assembly, in its resolution 66/169, welcomed the important role played by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights in close cooperation with OHCHR in assisting Governments in the establishment and strengthening of national human rights institutions in accordance with the Paris Principles. It further encouraged national institutions, including Ombudsman and mediator institutions, to seek accreditation status through the International Coordinating Committee. In its capacity as secretariat of the International Coordinating Committee, OHCHR facilitated and provided support to its 26th annual general meeting in May 2013. It also provided secretariat support to the meeting of the Subcommittee on Accreditation of the International Coordinating Committee, in May 2013.

II. Office of the United Nations High Commissioner for Human Rights and national human rights institutions

A. Advisory services

5. OHCHR continued to assist Governments in establishing and strengthening human rights institutions by providing technical assistance, in particular through

comparative analysis, needs assessment and evaluation missions, and legal advice on constitutional and legislative frameworks regarding the nature, functions, powers and responsibilities of national human rights institutions.

6. During the period under review, OHCHR provided advice and/or assistance to strengthen national human rights institutions in Argentina, Bahrain, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Chile, Colombia, Comoros, Côte d'Ivoire, the Congo, Croatia, the Dominican Republic, Guatemala, Haiti, Ireland, Jordan, Kazakhstan, Kosovo, Kyrgyzstan, Maldives, Mongolia, the Netherlands, Nicaragua, Norway, Oman, Panama, Peru, the Philippines, Qatar, the Republic of Moldova, Rwanda, Senegal, Serbia, Slovakia, Sri Lanka, State of Palestine, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Uganda, Ukraine and Yemen.

7. OHCHR also provided assistance to activities aimed at the establishment of national human rights institutions in Benin, the Democratic Republic of the Congo, Iraq, Lebanon, Lithuania, Myanmar, the Niger and Uruguay.

1. Africa

8. During the period under review, OHCHR supported activities related to national human rights institutions carried out by its Regional Offices for Central, East, Southern and West Africa, its country offices in Guinea, Togo and Uganda, the human rights advisers to the United Nations country teams in Chad, the Great Lakes region, Kenya, Madagascar, the Niger and Rwanda, and the human rights components of the United Nations missions in Burundi, the Central African Republic, Côte d'Ivoire, the Democratic Republic of the Congo, Guinea-Bissau, Liberia, Sierra Leone, Somalia and the Sudan.

Legal advice

9. In December 2012, a law on the establishment of a national human rights institution in Côte d'Ivoire was adopted. In collaboration with the United Nations Operation in Côte d'Ivoire (UNOCI), OHCHR support was key for the adoption of this enabling legislation and for the appointment of the commissioners, in May 2013.

10. Also in December 2012, a law establishing a human rights commission was adopted by the National Assembly of Benin, based on OHCHR advocacy and legal advice. OHCHR also provided advice on an implementing decree currently under consideration by the Government.

11. At the request of the Government of Cape Verde, the OHCHR West Africa Regional Office provided advice on the law that consolidated existing institutions into one national human rights institution.

12. In April 2013, OHCHR held a technical working meeting to finalize a draft amendment to the organic law on the National Human Rights Commission of Togo to include the mandate of the national preventive mechanism .

13. Further to the recommendation of the Subcommittee on Accreditation in March 2012 that the National Human Rights Commission of Rwanda be downgraded to B status, OHCHR provided advice on the amendments to its founding legislation promulgated on 8 April 2013. OHCHR assistance allowed the National Human

Rights Commission to apply for reaccreditation and to retain its A status in May 2013.

14. In the Democratic Republic of the Congo, the law establishing the National Human Rights Commission, adopted by the Parliament on 6 December 2012, was promulgated on 21 March 2013, as the result of OHCHR advocacy, in cooperation with the United Nations Joint Human Rights Office in Congo. OHCHR is also contributing to ongoing consultations with civil society organizations aimed at identifying suitable candidates for commissioners.

15. Since the Senegalese Human Rights Committee was downgraded to B status in November 2012, and in order to assist the institution to address the concerns raised by the Subcommittee on Accreditation, OHCHR held, on 19 and 21 June 2013, a workshop focused on amendments to the Committee's funding legislation and on a plan of action to implement it.

Capacity-building activities

16. The OHCHR Central Africa Regional Office organized a meeting on 31 May 2013 in Yaoundé, for national human rights institution Chairs in the subregion, with the aim of consolidating and operationalizing the Network of Central African National Human Rights Institutions. The Central Africa Regional Office is preparing two workshops, to be held before September 2013, on capacity-building for national human rights institutions members and staff on economic, cultural and social rights.

17. In March 2013, the National Human Rights Commission of Togo conducted, with OHCHR financial and technical support, a strengths, weaknesses, opportunities and threats analysis to identify strategic objectives and to elaborate a draft plan of action to be implemented in 2013.

18. In April 2013, OHCHR, in collaboration with the regional office of the United Nations Office on Drugs and Crime, carried out a training session for the Uganda Human Rights Commission on witness protection. OHCHR also supported the Uganda Human Rights Commission with guidance on documenting serious human rights violations committed during the northern Uganda conflict.

19. Following its support for the adoption, on 24 August 2012, of the law establishing the National Human Rights Commission of the Niger, OHCHR provided advice on the appointment of commissioners, on 26 April 2013, and the election of Bureau members, on 24 May 2013. In preparation for an induction training to be held in September 2013, OHCHR is providing advice on the development of the institutional infrastructure of the Commission.

20. In March 2013, the Independent National Human Rights Commission of Burundi started to implement, with advice from OHCHR, a project for Burundian refugees repatriated from the United Republic of Tanzania on the modalities of their institutional and legal protection in Burundi.

21. With the United Nations Development Programme (UNDP) office in the Comoros, OHCHR provided technical assistance to the National Commission for Human Rights and Freedoms in its preparation for the universal periodic review of Comoros, to be held in January and February 2014. At a capacity-building workshop for its members and for representatives of civil society organizations, held from 3 to 5 June 2013, the National Commission identified key areas that will be included in

its universal periodic review contribution. The workshop was an opportunity to train members of the National Commission on how to apply for accreditation to the International Coordinating Committee.

22. In Burkina Faso, new members of the National Human Rights Commission were appointed in October 2012 and were sworn in on March 2013, six years after the term of the outgoing members expired. During that long hiatus, the Commission failed to apply for reaccreditation within the timeframe required by the statute of the International Coordinating Committee, and consequently lost its membership in the International Coordinating Committee. OHCHR is providing technical support to the new members for the strengthening of the institutional and operational capacity of the National Human Rights Commission.

2. The Americas and the Caribbean

Capacity-building activities

23. During the period under review, OHCHR supported activities related to national human rights institutions carried out by its Regional Offices for South America and Central America, its country offices in Bolivia (Plurinational State of), Colombia, Guatemala and Mexico, the human rights advisers to the United Nations country teams in Ecuador, Honduras and Paraguay, and the human rights component of the United Nations Stabilization Mission in Haiti (MINUSTAH).

24. Since April 2013, OHCHR has provided technical assistance and guidance to the national human rights institution in Panama for the development of an internal Protocol on how to identify and address cases of discrimination. In 2012, OHCHR also supported the national human rights institution of Panama in organizing dialogues with indigenous peoples and Afro-descendants. These dialogues have been a key step in the process of confidence-building between the national human rights institution and indigenous and Afro-descendant groups.

25. In September 2012, as part of its activities undertaken in cooperation with the Chilean national human rights institution to promote the establishment of a national preventive mechanism, OHCHR participated in a seminar on prisons organized by the national human rights institution and gave a presentation during the panel on the national preventive mechanism. In this context and in the framework of its continuing support to the Government and the national human rights institution to address human rights challenges affecting the prison system, OHCHR and the Chilean national human rights institution undertook two monitoring visits to prisons in Santiago, in December 2012, o follow up on visits undertaken in July 2012, and to monitor progress made by these detention centres in implementing recommendations contained in the respective visit reports. In March 2013, OHCHR held a training course for the staff of the Chilean national human rights institution in preparation for the second universal periodic review cycle.

26. OHCHR implemented joint activities with the provincial-level human rights institution of Buenos Aires, in December 2012, including the official closing of the campaign "I declare myself a human rights defender".

27. In Uruguay, in April 2013, OHCHR held a training course for national human rights institution members and their staff in preparation for the second universal periodic review cycle. The course focused on supporting the national human rights institution in submitting a universal periodic review report.

28. In Colombia, in May 2013, OHCHR undertook a comprehensive assessment to identify strengths and gaps in the functioning of the Ombudsman Office after 20 years of its existence. Recommendations were issued to address challenges faced by the Office with regard to its crucial role in the implementation of the Victims' and Land Restitution Law.

29. During the period under review, OHCHR continued providing technical assistance to the Procuraduría de los Derechos Humanos of Guatemala, with regard to two amicus curiae it presented to the Constitutional Court related to the international obligations of States on the right to consultation. OHCHR also carried out capacity-building activities on the rights of migrants, indigenous peoples and older persons, as well as advocacy activities, together with the Procuraduría de los Derechos Humanos and the United Nations Children's Fund (UNICEF), with regard to a bill aimed at lowering the age of criminal responsibility for minors. OHCHR provided technical assistance to prepare a methodology to map social conflicts, including analysing their root causes, common patterns and the responsibilities of States

30. In cooperation with the Human Rights Section of MINUSTAH, OHCHR provided financial support for the recruitment of two new staff members for the Citizens' Protection Office of Haiti for the period from January to September 2013, in order to facilitate the decentralization strategy of the Office. The two staff members have oversight responsibility for the regional offices of Les Cayes and Cap-Haitien.

31. On 30 April 2013, OHCHR, jointly with MINUSTAH and the Citizens' Protection Office, officially launched a six-month training-for trainers programme for 15 staff members of the Office, which is aimed at developing monitoring, investigation, reporting and advocacy skills of the Office staff.

32. The nine Citizens' Protection Office staff who were recruited in 2012 through OHCHR funds enabled the Office to decentralize its services and to publish its combined 2009-2012 report in March 2013.

3. Asia and the Pacific region

33. During the period under review, OHCHR supported activities related to national human rights institutions carried out by its Regional Offices for Central Asia, South-East Asia, and the Pacific region, its office in Cambodia, the human rights advisers to the United Nations country teams in the Maldives, Papua New Guinea and Sri Lanka, and the human rights components of the United Nations Assistance Mission in Afghanistan (UNAMA) and the United Nations Integrated Mission in Timor-Leste (UNMIT).

Legal advice

34. In May 2013, OHCHR, in consultation with the Asia Pacific Forum of national human rights institutions, continued to support the Myanmar National Human Rights Commission in the development of its enabling law. The draft has been prepared in consultation with relevant ministries and other stakeholders, and is expected to be submitted to Parliament.

Capacity-building activities

35. OHCHR also supported the Myanmar National Human Rights Commission by holding seminars in Yangon, Myanmar, in January and April 2013, for civil society actors to facilitate dialogue with members of the Myanmar National Human Rights Commission on its protection activities, and engagement between these stakeholders. OHCHR further contributed to training workshops for senior-level Government officials organized by the Raoul Wallenberg Institute and the Myanmar National Human Rights Commission on the International Covenant on Economic, Social and Cultural Rights, in Yangon on 27 and 28 May 2013, and on the Human Rights Council universal periodic review in Nay Pyi Taw, on 13 and 14 June 2013.

36. In the Philippines, OHCHR assisted the National Human Rights Commission in various initiatives, including the establishment of a tripartite national monitoring mechanism composed of the Government, the National Human Rights Commission and civil society that will provide a framework for prioritization of the universal periodic review Myanmar National Human Rights Commission universal periodic review follow-up action to be undertaken at the national level; the establishment of a national preventive mechanism under the Optional Protocol to the Convention against Torture; and the deployment of a temporary mission, in May 2013, to assess, investigate and document the human rights situation of Filipinos affected by the conflict in Sabah, Malaysia.

4. Europe and Central Asia

37. During the period under review, OHCHR supported activities related to national human rights institutions carried out by its Regional Offices for Europe and Central Asia, its office in Kosovo, the human rights advisers in Albania, the Republic of Moldova, the Russian Federation, Serbia, Tajikistan and the former Yugoslav Republic of Macedonia, and the human rights adviser of the United Nations Regional Centre for Preventive Diplomacy for Central Asia.

Legal advice

38. OHCHR provided technical advice for the amendment of the law establishing the People's Advocate of Moldova.

Capacity-building activities

39. In Kosovo, in view of the Assembly's appointment of the Ombudsman in early 2014, OHCHR provides advice for members and staff of Parliament on the methodology and selection criteria for the Ombudsman.

40. During the reporting period, OHCHR financed the project "Monitoring and reporting on the work of the Ombudsman institution", which is run by the NGO Youth Initiative for Human Rights, in close collaboration with the Ombudsman of Kosovo. The main goal of the project is to strengthen the capacity of the Ombudsman Office by increasing its efficiency and transparency in order to better respond to rights-holders' needs.

41. After the Parliament of Ukraine adopted, on 2 October 2012, amendments to the Ombudsman law expanding the powers of this institution to fulfil the mandate of a national preventive mechanism, OHCHR provided training for the Ombudsman staff under a joint OHCHR-UNDP initiative.

42. On 10 December 2012, the Ombudsman Office of Ukraine hosted public hearings on the second universal periodic review of Ukraine, held on 24 October 2012. OHCHR was requested to provide an analysis of recommendations made to Ukraine and contributed to discussions designed to outline possible national mechanisms to implement accepted recommendations. OHCHR encouraged the inclusion in the Ombudsman Strategic Plan of Activities (2013-2017) support to the implementation of decisions of United Nations human rights mechanisms. For better coordination of the United Nations country team activities related to national human rights institutions, OHCHR set up, in January 2013, a United Nations country team working group to support the Ombudsman.

43. The OHCHR Regional Office for Central Asia held a training session, in cooperation with UNDP, on human rights and gender mainstreaming when drafting legislation. This activity increased the understanding of the staff of the Kyrgyzstan Ombudsman Office of the international human rights framework, and on how to analyse compliance of domestic laws with applicable international standards and constitutional provisions.

44. On 12 and 13 February 2013, OHCHR and the Organization for Security and Cooperation in Europe (OSCE) Centre in Bishkek, and other partners organized a training in Osh on effective follow-up to allegations of torture in judicial proceedings as a guarantee of fair trial. The training increased the understanding of the Ombudsman staff regarding torture prevention and strengthened their skills to use United Nations human rights recommendations in their daily monitoring work and in their responses to complaints. In March 2013, OHCHR held a training for the Kyrgyzstan Ombudsman Office on human rights monitoring and reporting and, in May 2013, a training on monitoring and protecting of housing, land and property rights.

45. In Tajikistan, OHCHR continued to support the strengthening of the Ombudsman Office through advocacy for the establishment of a national preventive mechanism, the handling of individual human rights complaints and follow-up to the national universal periodic review implementation plan. In 2012, several activities took place within the framework of the United Nations joint programme involving UNDP, OHCHR, the United Nations Entity for Gender Equality and the Empowerment of Women, the United Nations Children's Fund, the United Nations Population Fund, the International Labour Organization, the International Organization for Migration, the Office of the United Nations High Commissioner for Refugees and the Joint United Nations Programme on HIV/AIDS to strengthen the capacity of the Ombudsman institution in fulfilling its mandate in the areas of gender, refugees, migration, labour and child rights, non-discrimination, interviewing of victims of torture and other serious human rights violations.

5. Middle East and North Africa

46. During the period under review, OHCHR supported activities related to national human rights institutions carried out by its Regional Offices for the Middle East and for North Africa, the United Nations Human Rights Training and Documentation Centre in Qatar, its offices in Mauritania, the State of Palestine, Tunisia and Yemen, UNAMI and the United Nations Support Mission in Libya (UNSMIL).

Legal advice

47. OHCHR was involved in efforts aimed at establishing an independent and effective national human rights commission in Tunisia. In that context, on 25 May 2013, it organized, with the Higher Committee for Human Rights and Fundamental Freedoms of Tunisia, a workshop on the Paris Principles for the benefit of the members of the Higher Committee. It contributed to a round table on the reform of the law regulating the Higher Committee for Human Rights and Fundamental Freedoms, held on 23 May 2013,

48. In follow-up to the OHCHR technical assessment mission to Bahrain in December 2012, OHCHR provided advice on the laws and other decrees establishing and modifying the human rights institution.

49. In November 2012, OHCHR provided comments on the proposed national human rights institution law in Yemen. On 29 and 30 May 2013, OHCHR participated in a meeting, held by UNDP, aimed at raising the awareness of stakeholders in Yemen on the Paris Principles and OHCHR written advice on the draft law.

50. OHCHR provided technical assistance for the drafting of a national human rights institution law in Lebanon, which is to be considered by Parliament.

Capacity-building activities

51. The United Nations Human Rights Training and Documentation Centre in Qatar, in collaboration with the Jordanian National Centre for Human Rights, conducted a training programme, from 23 to 27 December 2012, in Amman, on the use of United Nations human rights mechanisms and the United Nations human rights protection system for 21 junior diplomats.

52. In January 2013, OHCHR provided feedback and analysis on a training-of-trainers programme, developed by a regional NGO, for the staff of the Qatar National Human Rights Committee. OHCHR reviewed the training materials submitted during the training and extended technical advice on the methodology and topics.

53. The United Nations Human Rights Training and Documentation Centre and the Qatar National Human Rights Committee have been working with NGOs to develop a questionnaire to measure the perception of women rights in the Qatari society.

54. Two members of the Bahraini institution attended a training on national human rights institutions organized by the United Nations Human Rights Training and Documentation Centre, in Qatar, in April 2013.

55. In March 2013, OHCHR and UNDP conducted a needs assessment mission for capacity-building of the Iraqi national institution.

B. Office of the United Nations High Commissioner for Human Rights support to regional and subregional initiatives by national human rights institutions

1. Africa

56. The OHCHR West Africa Regional Office provided support to the 2013 annual general assembly of the Network of National Human Rights Institutions of West Africa, organized from 24 to 26 April 2013 by the Economic Community of West African States (ECOWAS) Commission, in collaboration with the Network of National Human Rights Institutions of West Africa and executive secretariat and the Nigerian National Human Rights Commission. The general assembly was preceded by a workshop on human rights monitoring and reporting to enhance the capacity of national human rights institution staff in monitoring, investigating and documenting human rights violations. The workshop also focused on how to access ECOWAS institutions, in particular the Community Court of Justice and Parliament, to address human rights issues and cases.

2. Asia and the Pacific region

57. In February 2013, the OHCHR Regional Office for the Pacific Region organized a universal periodic review follow-up seminar in Bangkok, attended by representatives of five A-status national human rights institutions from the South-East Asia subregion, who shared their lessons learned and experiences from the first cycle of the universal periodic review with Governments and civil society representatives. OHCHR also supported a regional universal periodic review event organized by UNDP, in June 2013, that brought together Governments, civil society and national human rights institution representatives from Asia and the Pacific region.

3. Europe and Central Asia

58. The OHCHR Regional Office for Central Asia worked to strengthen the capacity of national human rights institutions in Kazakhstan, Kyrgyzstan and Tajikistan to monitor and protect the right to adequate housing. A regional training workshop in Almaty, Kazakhstan, brought together national human rights institution staff from these countries, along with civil society representatives, to discuss key issues and challenges and share experiences relating to housing, land and property rights.

4. Middle East and North Africa

59. The United Nations Human Rights Training and Documentation Centre in Qatar, in cooperation with the Qatari National Human Rights Committee and the Arab Network for National Human Rights Institutions, organized a training workshop, held on 31 March and 1 April 2013, on access by national institutions to international human rights mechanisms, in particular through the universal periodic review and treaty bodies. Representatives of the national human rights institutions of Algeria, Bahrain, Egypt, Iraq, Jordan, Libya, Mauritania, Oman, Qatar, Saudi Arabia, State of Palestine, the Sudan and Tunisia participated in the workshop. The workshop focused on the application of the Paris Principles, the relationship of human rights mechanisms and national human rights institutions and enhancing

knowledge of international human rights mechanisms and the recommendations of the universal periodic review.

60. On 3 and 4 June 2013, OHCHR participated in a regional conference held on the theme "Developing the human rights system of the Arab League", which was attended by more than 50 international and local NGOs, Government representatives and independent experts, and national human rights institutions from Bahrain, Egypt, Iraq, Jordan, Mauritania, Morocco, Oman, Qatar and the Sudan. The purpose of the conference was to prepare a proposal on the development of standards and mechanisms of the League of Arab States in the field of human rights. OHCHR presented a working paper on its support in developing regional human rights mechanisms.

61. On 15 and 16 June 2013, in Rabat, OHCHR participated in the 9th annual meeting of Arab national human rights institutions on transitional justice in order to raise the awareness of national human rights institutions about their role with regard to transitional justice mechanisms.

C. Office of the United Nations High Commissioner for Human Rights support to the International Coordinating Committee and its Subcommittee on Accreditation

1. International Coordinating Committee

62. As the secretariat of the International Coordinating Committee, OHCHR facilitated and provided support to the 26th annual general meeting of the Committee, held in Geneva from 6 to 8 May 2013. The meeting was attended by representatives of national human rights institutions, Governments, regional and cross-regional national human rights institution associations, NGOs and academia.

63. The agenda of the 26th meeting included discussions on planning for the future in the context of the twentieth anniversary of the Vienna Declaration and Plan Action; the Paris Principles and the International Coordinating Committee; the report of the Special Rapporteur on human rights defenders; follow-up to the 2012 Amman Declaration and Plan of Action; and the role of national human rights institutions in the post-2015 development agenda.

2. Subcommittee on Accreditation

64. In May 2013, OHCHR provided secretariat support to the meeting of the Subcommittee on Accreditation. As at November 2012, 69 national human rights institutions were accredited with "A status" by the International Coordinating Committee((see A/HRC/23/28). In order to strengthen its working methods, the Subcommittee developed new General Observations on national human rights institutions serving as national monitoring/preventive mechanisms; the quasi-judicial competency of national human rights institutions; and assessing the performance of national human rights institutions.

III. Cooperation between United Nations human rights mechanisms and national human rights institutions

A. Human Rights Council

65. Cooperation between national human rights institutions and international and regional human rights mechanisms is a requirement of the Paris Principles. OHCHR, in coordination with the International Coordinating Committee, continued to support the engagement of national human rights institutions with the Human Rights Council mechanisms.

66. In 2013, national human rights institutions were active before and during the sessions of the Human Rights Council delivering statements, submitting written documentation, participating in general debates and under specific agenda items, organizing parallel events and interacting with the special procedures.

B. Treaty bodies

67. OHCHR continued to support the participation of national human rights institutions in the sessions of the treaty bodies. OHCHR liaised with national human rights institutions prior to each session to encourage them to provide written or oral information and to attend the sessions. OHCHR disseminated relevant recommendations and concluding observations to the institutions concerned.

68. In the period 2012-2013, out of 148 States parties that were examined by human rights treaty bodies, 94 had established a national human rights institution. Of these 96 institutions,[1] 49 interacted with treaty bodies by submitting reports, briefing the treaty bodies prior to the review or attending the sessions. There has been an increase in the participation of national human rights institutions in the past three years: in 2009, 36 out of 69 institutions engaged with treaty bodies.

69. Treaty bodies provide national human rights institutions with advice and tools to conduct their activities, including by issuing general comments, information notes and statements, and by inviting the institutions to their meetings. The Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child adopted general comments on national human rights institutions. The Committee on the Elimination of Racial Discrimination amended its rules of procedure to allow A-status institutions to address the Committee in plenary session, and the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women, the Committee against Torture, the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities included in their guidelines a section on the participation of national human rights institutions in their review sessions.

70. During the reporting period, in conformity with article 11 (b) of the Optional Protocol to the Convention against Torture, the United Nations Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or

[1] One national human rights institution per state and three national human rights institutions in the United Kingdom of Great Britain and Northern Ireland.

Punishment provided advice and assistance to national human rights institutions on issues related to national preventive mechanisms.

C. Special procedures

71. The Special Rapporteur on the situation of human rights in Myanmar continued to consult the Myanmar National Human Rights Commission on its protection activities, including investigations and complaints, and brought specific concerns to the attention of the Commission.

72. The Ombudsman of Guatemala engaged with the special rapporteurs visiting Guatemala in 2013 by preparing, with the support of OHCHR, preliminary reports for their visits.

D. Universal periodic review

73. National human rights institutions have been increasingly engaging with the universal periodic review. Since the beginning of the second cycle, there has been an increase in written contributions from national human rights institutions for the universal periodic review stakeholders' reports prepared by OHCHR.

74. During the adoption by the Council of the final outcomes of the first 28 States reviewed for the second time, 11 A-status national human rights institutions delivered statements on the review of their countries.

IV. Conclusions

A. States

75. **States are encouraged to implement the recommendations made by their national human rights institutions.**

76. **States are encouraged to establish a national human rights institution where none exists, and to strengthen the structures and independence of existing ones in order to enable the effective fulfilment of their mandate, taking into account the recommendations made by the Subcommittee on Accreditation and the advice provided by OHCHR.**

77. **States are encouraged to ensure that national human rights institutions are provided with a broad mandate to protect and promote all human rights, including economic, social and cultural rights; with adequate powers of investigation regarding allegations of human rights violations; and with an authorization to visit detention centres.**

78. **Members and staff of national human rights institutions should enjoy immunity while discharging their functions in good faith.**

79. **States are encouraged to take necessary measures to protect members and staff of national human rights institutions against threats and harassment and to investigate such cases.**

80. **States are encouraged to provide national human rights institutions with adequate human and financial resources, as well as the necessary autonomy to propose and manage their own budgets and recruit their own staff members.**

81. **Open, participatory and pluralistic processes are important when establishing or strengthening national human rights institutions in compliance with the Paris Principles, in particular for the selection and appointment of their members and staff.**

82. **Budget cuts have affected the capacity of OHCHR to contribute to the establishment of national human rights institutions and to ensure their compliance with the Paris Principles, in particular, its secretariat support for the International Coordinating Committee and its Subcommittee on Accreditation. Member States are therefore urged to ensure by their financial contributions to the Office the continuation of efficient, high-quality assistance for the establishment and strengthening of national human rights institutions and the servicing of the International Coordinating Committee.**

B. National human rights institutions

83. **The Paris Principles call on national human rights institutions to engage with the international human rights system and regional mechanisms. Therefore, the institutions are encouraged to continue engaging with these bodies and to promote the implementation of their recommendations.**

84. **National human rights institutions are encouraged to continue to advocate for their independent participation in meetings of United Nations human rights mechanisms.**

85. **National human rights institutions are encouraged to continue to develop, and to advocate for the development of, protective measures and mechanisms for human rights defenders, and to disseminate information thereon.**

86. **National human rights institutions are encouraged to develop cooperation with civil society organizations, and to strengthen the latter's capacity in order to enable them to meaningfully participate in the promotion and protection of human rights.**

87. **National human rights institutions are encouraged to implement the Amman Declaration and Programme of Action on the promotion and protection of human rights of women and girls, adopted at the International Conference of National Institutions for the Promotion and Protection of Human Rights, in Jordan in November 2012.**

88. **National human rights institutions are encouraged to seek constructive cooperation with other State bodies to ensure that human rights issues are taken into consideration in policies and programmes, and addressed through the adoption of adequate measures.**

89. **National human rights institutions working in crisis or conflict situations are encouraged to be vigilant and proactive in protecting the rights of persons affected by such circumstances, in accordance with the Paris Principles.**

Annex

Engagement of national human rights institutions in the work of the treaty bodies (April 2012-March 2013)

Committee	*Number of States parties reviewed*	*Number of States parties with a national human rights institution*	*Submission of information*	*Briefing*	*Attendance*
Committee on Torture	17	11	7	6	6
Committee on the Elimination of Racial Discrimination	28	22	9	5	7
Committee on Economic, Social and Cultural Rights	12	10	6	6	7
Human Rights Committee	16	11	4	4	4
Committee on the Elimination of Discrimination against Women	35	15	5	2	3
Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	4	3	0	1	1
Committee on the Rights of the Child	32	21	7	5	5
Committee on Enforced Disappearances	2	2	2	1	1
Committee on the Rights of Persons with Disabilities	4	3	1	0	0
Total	**150**	**98**	**41**	**30**	**34**

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

Report of the Secretary-General

Summary

The present report is submitted in accordance with General Assembly resolution 66/157, in which the Assembly requested the Secretary-General to invite Member States and intergovernmental and non-governmental organizations to present further practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity, and to submit a comprehensive report thereon to the Assembly at its sixty-eighth session.

The present report contains a summary of the submissions received from the Governments of Argentina, Azerbaijan, Bahrain, Belarus, Ecuador, Guatemala, Mexico, Qatar and Syria, as well as the World Meteorological Organization and the United Nations Office on Drugs and Crime. It concludes by identifying common concerns and contains recommendations on how to strengthen United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity.

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I. Introduction

1. In its resolution 66/157 of 20 March 2012, the General Assembly requested the Secretary-General to invite Member States and intergovernmental and non-governmental organizations to present further practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity.

2. On 22 April 2013, the Office of the United Nations High Commissioner on Human Rights (OHCHR) sent a request for information to all permanent missions to the United Nations Office at Geneva and other international organizations located in Geneva. On 15 July 2013, OHCHR circulated a request for information to all intergovernmental and non-governmental organizations. As at 23 July 2013, replies had been received from the Governments of Argentina, Azerbaijan, Bahrain, Belarus, Ecuador, Guatemala, Mexico, Qatar and Syria, as well as from the World Meteorological Organization and the United Nations Office on Drugs and Crime. Those views most relevant to the subject matter are summarized below.

II. Replies received from Governments

Argentina

3. The Government of Argentina emphasized its active regional and international leadership role in promoting human rights through which Argentina had gained extensive experience in international cooperation on the promotion and protection of human rights. The Government of Argentina is of the view that any international cooperation, in particular that involving the Member States of the United Nations, should be guided by fairness and objectivity and be consistent with provisions of international human rights instruments. The Government of Argentina suggested the creation of a web page, entitled "Record of International Cooperation" that would contain information regarding areas of cooperation and a summary description of the activities that could strengthen a cooperation network and provide greater transparency and facilitate the identification of potential areas of cooperation within the broad spectrum of human rights. The Government of Argentina emphasized that dissemination of information on international cooperation could serve as an incentive for Member States to report regularly on their cooperation activities.

Azerbaijan

4. The Government of Azerbaijan highlighted that article 33(2) of the United Nations Convention on the Rights of Persons with Disabilities envisaged national mechanisms to promote, protect and monitor the implementation of the Convention. However, it noted that there was a lack of specific guidelines regarding formation and implementation of such mechanisms, which caused difficulties in the practical application of the article. In that regard, the Government of Azerbaijan suggested that an additional protocol to the Convention providing specific guidelines on formation and implementation of the national mechanisms to promote, protect and monitor the implementation of the Convention should be adopted.

Bahrain

5. The Government of Bahrain stated that it considered the Office of the United Nations High Commissioner for Human Rights and other United Nations mechanisms, such as the Human Rights Council, as important partners in promoting and protecting human rights. It also affirmed its willingness to further its cooperation with United Nations human rights mechanisms.

6. The Government of Bahrain emphasized that the international community must treat human rights in a comprehensive, fair and equal manner and consider national particularities in the areas of development, history, culture and religion. It also emphasized that the respect for human rights and fundamental freedoms without discrimination was a fundamental principle of international human rights law. In that regard, the Government of Bahrain emphasized that the elimination of all forms of racism, racial discrimination, xenophobia and related intolerance should be the priority for the international community. It further stated that the rights of women and children should be an integral part of human rights activities. In order to do so, both intergovernmental and non-governmental organizations should intensify their efforts to protect and promote the human rights of women and children. In conclusion, the Government of Bahrain suggested that human rights should be included in school curricula, and highlighted the important role of the media in raising public awareness on human rights.

Belarus

7. The Government of Belarus emphasized its commitment to the promotion and protection of human rights and affirmed its position that all human rights, civil and political, economic, social and cultural, were universal, indivisible, interrelated and interdependent, and mutually reinforcing. While stressing the importance of giving all human rights equal importance, the Government of Belarus raised its concern about the politicization of human rights and suggested that a politically motivated approach to human rights issues needed to be eradicated. In that regard, it stressed that the Special Procedures should adhere to the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, adopted by the Council in its resolution 5/2 in order to ensure that the mandate-holders maintained their independence and impartiality. The Government of Belarus stated that the United Nations should also address human rights issues in all countries without exception. It suggested that the United Nations consider the possibility of creating a special procedure mandate to examine the negative impact of unilateral coercive measures on the enjoyment of human rights of citizens of States in which such measures were applied.

Ecuador

8. The Government of Ecuador elaborated on its cooperation with the human rights mechanisms of the United Nations, including the human rights treaty bodies, the Special Procedures mechanisms and the universal periodic review process. The Government of Ecuador highlighted its efforts to implement recommendations made by the Committee on the Elimination of Discrimination against Women and the Committee on the Elimination of Racial Discrimination, as well as

recommendations made during the universal periodic review of Ecuador. The Government of Ecuador recognized the support received from various United Nations organizations, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Entity for Gender Equality and the Empowerment of Women, for human rights activities carried out by the Ministry of Justice, Human Rights and Religious Affairs. The Government of Ecuador suggested that, in order to reduce the duplication and optimize international cooperation, all proposed workplans of the United Nations organizations for each Member State be made public. It also proposed that the visits by representatives of the United Nations, including Special Procedures, be scheduled far enough in advance to allow for proper planning with the agenda of relevant authorities to maximize the potential of those visits. In closing, the Government of Ecuador emphasized its willingness to cooperate and demonstrate the transparency of its activities in promoting human rights.

Guatemala

9. The Government of Guatemala suggested that, in order to strengthen United Nations action in the field of human rights through the promotion of international cooperation, it was important to identify the legal, institutional and practical foundations for international cooperation in the area of human rights. This would include, where applicable, the legal consequences of a lack of cooperation, and possible solutions. It also suggested that specific forms and modalities for international cooperation on human rights at the bilateral and multilateral levels be developed, based on identified good practices from different stakeholders, as well as methods and evaluation criteria for the results of such cooperation.

10. As important elements in creating basic conditions for achieving effective international cooperation, the Government of Guatemala identified: (a) clear national policies, plans and monitoring and evaluating mechanisms ensuring good governance; (b) strong commitment at the highest level of institutions; (c) a common position of all relevant Government institutions based on which all negotiations with donor countries should be conducted; and (d) the willingness of donor countries to align their donor policies with the needs of host countries.

Mexico

11. The Government of Mexico suggested that the United Nations emphasize building national capacities in developing countries as a strategy to ensure full compliance with human rights. In that regard, the Government of Mexico stated that the United Nations should increase its engagement and collaboration with key national stakeholders, including members of the private sector, civil society organizations and academia. The importance of mutually beneficial South-South cooperation in knowledge and experience-sharing was also highlighted.

Qatar

12. The Government of Qatar highlighted its efforts to promote, protect and fulfil human rights through various laws, policies and institutions. The Government of

Qatar emphasized its active role in hosting international forums and conventions on development and human rights. It further emphasized that all Member States of the United Nations should respect the right to equality and non-interference in the internal affairs of other States. In that regard, the Government of Qatar emphasized that Governments of Member States should commit to promoting and protecting human rights and to cooperating with international and non-governmental organizations. The Government also highlighted the importance of supporting the United Nations in its efforts to promote and protect human rights throughout the world.

Syrian Arab Republic

13. The Government of the Syrian Arab Republic raised its concern about the politicization of human rights, which could jeopardize international legal and political authority and undermine international consensus on the mechanisms to address human rights issues. In that regard, the Government of the Syrian Arab Republic categorically rejected the use of human rights issues in a selective manner to intervene in the internal matters of States and attempt to influence internal political reforms through international financial assistance.

14. The Government of the Syrian Arab Republic emphasized the importance of respect for national sovereignty, independence of States and territorial integrity as a basis for international cooperation when promoting and protecting human rights, as guaranteed by the Universal Declaration of Human Rights and other international human rights instruments. It also suggested that human rights issues only be addressed in the Human Rights Council, which reviewed human rights situations of all countries through the universal periodic review mechanism. The Government of Syria was of the view that addressing human rights through draft resolutions aimed at specific countries was not in line with the principles and values of the United Nations. The Government of the Syrian Arab Republic also emphasized that foreign occupation constituted a violation of human rights and urged that the international community address human rights violations in foreign occupied territories.

III. Replies from intergovernmental organizations

United Nations Office on Drugs and Crime

15. The United Nations Office on Drugs and Crime (UNODC) highlighted that human rights were at the core of all the work of the United Nations system, including the work of UNODC. In its submission, UNODC further underscored that it aimed to maximize the positive human rights impact of its work and to take the human rights perspective into account while planning its programmes. In regard to ways of strengthening United Nations action in the field of human rights, UNODC suggested such action(a) end stigma, discrimination and violence against people who use drugs, drug-dependent people, including persons who injected drugs to promote their right to access evidence and human rights-based, gender-sensitive drug dependence treatment and HIV prevention, treatment and care services; (b) address stigma and promote the rights of people in prisons and other closed settings to access evidence and human rights-based, gender-sensitive equitable

health care; and (c) implement the United Nations standards and norms on crime prevention and criminal justice to build a functioning, efficient and humane crime prevention and criminal justice system.

World Meteorological Organization

16. In its submission, the World Meteorological Organization (WMO) highlighted its long and solid tradition of international cooperation in the domain of weather, climate and water. WMO promoted free and unrestricted exchange of data and scientific information on weather, climate and water among all its members. The submission also underscored the contribution of WMO in the promotion of human rights to food and water through the development of flood and drought integrated management systems. In conclusion, WMO emphasized the importance of international cooperation based on non-selectivity, impartiality and objectivity in implementing WMO core programmes and activities.

IV. Conclusions and recommendations

17. **The present report summarizes responses from States, the United Nations Office on Drugs and Crime and the World Meteorological Organization regarding the strengthening of United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity. All respondents agreed that international cooperation was essential in promoting, protecting and fulfilling human rights. The important role of the United Nations, in particular that of the Office of the United Nations High Commissioner for Human Rights, in promoting human rights, was recognized in various submissions. The responses also highlighted the need for more extensive international cooperation in the field of human rights and development based on fairness and impartiality.**

18. **In the context of international cooperation on human rights, State respondents cited their concern about, among other issues, the politicization of human rights in the international arena and emphasized the need for the United Nations to function in an impartial and non-selective manner. Other specific recommendations in the submissions included: (a) development of a webpage for the sharing of information regarding international cooperation in promoting and protecting human rights among States and international organizations; (b) inclusion of human rights in school curricula; (c) the publishing of workplans on cooperation between international organizations and States; (d) promotion of South-South cooperation; and (e) the adoption of an optional protocol to the Convention on the Rights of People with Disabilities providing guidelines on the formation and implementation of national mechanisms to promote, protect and implement the provisions of the Convention.**